DIPLOMATIC NEGOTIATIONS OF AMERICAN NAVAL OFFICERS

1778-1883

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THE ALBERT SHAW LECTURES ON
DIPLOMATIC HISTORY, 1911

DIPLOMATIC NEGOTIATIONS OF AMERICAN NAVAL OFFICERS 1778-1883

BY

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THE ALBERT SHAW LECTURES ON DIPLOMATIC HISTORY

By the liberality of Albert Shaw, Ph.D., of New York City, the Johns Hopkins University has been enabled to provide an annual course of lectures on Diplomatic History. The courses are included in the regular work of the Department of History and are published under the direction of Professor John Martin Vincent.

PREFACE

The diplomatic negotiations of American naval officers fall within the period 1778–1883, and relate to several countries, the most important of which are France, Denmark, the Barbary Powers, Turkey China, Japan, Korea, Hawaii and Samoa. Obviously, a series of lectures treating of this subject does not possess a narrow unity in respect to either time or place. On the other hand, the course does not consist of a mere collection of detached studies in American diplomatic history, for its parts are knit together more or less closely by several unifying elements. From the point of view of the navy, these lectures constitute a well-defined whole, since they treat of the work of the officers of that service in the field of diplomacy, and present a rather full account of one class of naval activities. Moreover, the traits of character that distinguish the naval officer, simplicity, candor and directness, affect his negotiations and give them a sort of unity. The sailor-diplomat is preeminently a "shirt-sleeve" diplomatist. He is a stranger to the devious and tortuous methods of procedure which so long disfigured international statecraft. Being a

fighter by profession, he does not underestimate the importance of a display of concrete force when temporarily filling the peaceful office of a diplomat.

Notwithstanding that the countries with which these lectures are concerned are widely scattered, they, with two exceptions, have many points of similarity and may be classed together. With the exception of France and Denmark, they were all, at the time of which we write, backward, undeveloped and non-Christian countries. A century ago Turkey, the Barbary Powers, China, Japan, Korea, Hawaii, Samoa, and the peoples of Africa and the Pacific were outside the pale of occidental civilization and did not belong to the great family of nations. They were little visited, little known, and little understood by the nations of Christendom, which regarded them as inferiors and treated them with condescension. Their diplomatic procedure was peculiar to themselves. It may be briefly described as oriental, ceremonious, and extremely deliberate.

Sent to every quarter of the globe to protect the lives and property of his fellow-citizens, the American naval officer early came in contact with these distant peoples. He, with the trader, the missionary and the whaleman, were the first Americans to visit them and to establish permanent relations with them. Often he was the first representative of his government to enter into communication with them. Occasionally,

acting on his own initiative, he would make a treaty with some one of these remote nations. More often he was sent out for that purpose by his government as its regularly accredited envoy. A naval officer rather than a civilian was chosen for such diplomatic tasks because he could best unite force with persuasion, a combination always regarded as a requisite in dealing with these peoples, because he often possessed a special knowledge of their governments and customs, and because it was most convenient to select him since he visited every quarter of the globe in the line of his profession.

The duties of naval officers, however, never permitted them to serve for a period of years as diplomatic agents or envoys. Their diplomatic mission terminated with the accomplishment of its object. The treaties which they negotiated were usually the first treaties between the United States and the countries in question. On the establishment of permanent official relations, diplomatic intercourse was conducted through the regular channels of the State Department.

In the footnotes of this work both full and abbreviated titles of books are employed. When referring to a book for the first time, the aim has been to give its title sufficiently complete to insure its identification. Subsequent references are often abbreviated. Since much of the flavor and probative value of history is

lost by paraphrasing the account of a participant in an event, quotations from the original sources have been liberally made.

The chapters on China and Japan have appeared in large part, and in a somewhat different form, in the Proceedings of the United States Naval Institute, volumes XXXVI and XXXVII. The chapter on Korea is in the main a reprint of my article in the Political Science Quarterly, volume XXV, number 3, pages 470–499. I respectfully make my acknowledgments to the editors of these periodicals. I also wish to thank Mr. Charles W. Stewart, librarian of the Navy Department, and Hon. Alvey A. Adee, second assistant secretary of state, for the facilities for research which they so courteously extended to me.

CHARLES OSCAR PAULLIN.

WASHINGTON, D. C.,
January, 1912.

CHAPTER I

The Diplomatic Activities of John Paul Jones, 1778–1792

The diplomatic activities of John Paul Jones relate chiefly to the obtaining of a loan of armed vessels from France and to the settlement of prize accounts with that country and of prize claims with Denmark. Intrinsically these matters may not be of special importance. They acquire, however, no little prominence from the celebrity of Jones and of the men with whom he dealt, from their relation to momentous events in American history, and from their connection with a time and place of much historical significance.

For an understanding of Jones's diplomatic career, it is necessary to recall a few facts respecting the beginnings of the American naval and diplomatic services. The origin of the Continental navy is usually dated from October 3, 1775, when Congress voted to fit out two armed vessels and to send them in pursuit of some British transports. During the next four months a considerable navy was organized, a fleet of eight vessels was sent to sea, the construction of thirteen frigates was begun, and the first officers of the

new navy were appointed. Three grades of commissioned officers were established, commander-in-chief, captain, and lieutenant. The list of lieutenants was headed by John Paul Jones. In many respects the Continental navy was at its zenith in 1776–1777. After those years it rapidly declined, and when the Revolutionary War came to an end in 1783, its vessels had been almost entirely captured, destroyed, or put out of commission. At its height it consisted of some thirty vessels and three thousand officers and seamen. Its chief theaters of operation were off the American coast, along British trade routes, and in the waters of France and Great Britain.

The beginning of the American state department and diplomatic service may be dated with the appointment by the Continental Congress on November 29, 1775, of a "committee of secret correspondence," which was empowered to correspond with the friends of America in Great Britain, Ireland, and other parts of the world. In 1777 this committee was named the committee of foreign affairs, and in 1781 it was succeeded by a department of foreign affairs. The first American diplomat was Silas Deane, who early in 1776 was appointed secret agent to France and was authorized to obtain military supplies and to ascertain the disposition of the French government toward the revolting colonies. Later in 1776, after the adoption of the declaration of independence, Benjamin Frank-

lin, Silas Deane, and Arthur Lee were chosen by Congress to represent the new government in France, and were given the title of commissioners. In 1778 the commissioners were superseded by a minister to France, and Benjamin Franklin was the first to hold that office. In 1785 he was succeeded by Thomas Jefferson.

By reason of the part played by France in the American Revolution, first as friend and later as ally of the revolting colonies, the American naval and diplomatic services were brought into close connection with the government of that country and with each other. The American commissioners to France had many important naval duties. They rented, purchased and built naval vessels, and officered, manned and fitted them for sea; they directed cruises, purchased naval supplies, disciplined officers, paid officers and crews, disposed of prizes, devised naval plans, made provision for prisoners, and disseminated naval intelligence. American naval officers repaired and fitted out their ships and sold their prizes in French ports. Occasionally they visited Paris; and one of them, John Paul Jones, spent considerable time there.

Jones was one of the most remarkable men produced by the Revolution. Among the officers of the Continental navy he stands as preeminent as does Washington among the officers of the Continental army. Each of these distinguished men entered the

service from Virginia. In respect to inherited position, training and temperament they were the antithesis of each other. Washington was a settled man of family, Jones a roving bachelor; Washington was reserved and self-contained, Jones frank and volatile; Washington's qualities were dull and solid, Jones's showy and brilliant. It is not easy to estimate dispassionately the achievements of Jones. His biographers are prone to fall under a spell incited by the picturesqueness of his career, the success of his daring, the mystery surrounding certain details of his life, and the appeal to the imagination made by the emotional side of his character. He was one of the most voluminous writers of the Revolutionary period, and the materials for tracing his public career are most ample.[1]

[1] The papers of John Paul Jones are now widely scattered. Many of them are in the hands of private collectors, among whom are Capt. John S. Barnes and Mr. William F. Havemeyer, both of New York City. Some of those relating to the raid on St. Mary's Isle are at Castle Douglas, St. Mary's Isle, Kirkcudbright, Scotland, the home of the Earls of Selkirk. The Library of Congress at Washington possesses possibly the largest collection. The library of the United States Naval Academy at Annapolis has a Jones letter-book for March, 1778–July, 1779.

By far the larger part of the papers of John Paul Jones originally belonged to one of two collections, which may be designated as the "Ross collection" and the "Mrs. Janette Taylor collection." The former is thus described in the "Edinburgh biography," published in 1830:

Born in Scotland in 1747, of humble parentage, and with few opportunities for schooling, he early went to sea, and soon became captain of a merchantman. In 1773, when twenty-six years of age, he settled in

"When at the end of the war, in 1783, Paul Jones was appointed by Congress agent for prize money in Europe, he deposited, among other effects, certain account-books, log-books, and copies of letters, in the custody of his friend, Mr. Ross of Philadelphia. His private correspondence, and whatever he thought most interesting, he brought with him to France. On his death, his sisters in Scotland, who were his heirs, removed those books and papers left in America, from Mr. Ross to the custody of Mr. Robert Hyslop, merchant, New York. This gentleman died soon afterwards of the yellow fever, and the papers left in America by Paul Jones were transferred to the custody of Mr. John Hyslop, baker, the cousin and executor of Mr. Robert Hyslop. There they remained, the heirs of Paul Jones not thinking it worth while to reclaim them. Mr. John Hyslop, baker, also died, and left his affairs in great disorder; and soon after, or probably before his death, it was mentioned in a New York paper, that a letter 'of that distinguished hero, Paul Jones,' had been discovered in a baker's shop in the city. This led to inquiry, and Mr. [George A.] Ward [of New York City] obtained the wreck of these loose papers, which have been scattered far and wide; one original log-book, that of the 'Ranger,' being now in the possession of a gentleman in Greenock [Scotland], while that of the 'Bon Homme Richard' belongs to Mr. George Napier, advocate in this city [Edinburgh]."—Memoirs of Rear-Admiral Paul Jones (Edinburgh, 1830), preface, vi–viii.

About 1824 the part of the Ross collection that was rescued by Ward passed into the possession of John Henry Sherburne, register of the United States navy department, Washington,

Virginia and took charge of an estate left him there by his brother. Two years later he entered the Continental navy and received a lieutenant's commission. His first duty was on board the flagship of the com-

D. C., and was used by him in the preparation of his book Life and Character of the Chevalier John Paul Jones (Washington, 1825)—see introduction of the same, p. viii; and Sands's Life and Correspondence of John Paul Jones, p. 4. Sherburne also obtained and used some Jones letters and documents from the state department and from Thomas Jefferson. A part of his collection, subsequent to the publication of his book, passed into the possession of Peter Force, and from him to the Library of Congress, where it is now deposited. It has been calendared by C. H. Lincoln—see Lincoln's Calendar of John Paul Jones Manuscripts in the Library of Congress (Washington, 1903), p. 5. Mr. Lincoln's account of the Ross collection differs slightly from that of the Edinburgh biography.

The second collection of Jones's papers, the Mrs. Janette Taylor collection, is described as follows in the Edinburgh biography:

"By his will, dated at Paris on the day of his death [July 18, 1792], Paul Jones left his property and effects of all kinds to his sisters in Scotland and their children. Immediately on his decease a regular, or rather an official inventory was made of his voluminous papers, which were sealed up with his other effects, till brought to Scotland by his eldest sister, Mrs. [Janette] Taylor, a few months after his death. They have ever since remained in the custody of his family; and are now, by inheritance, become the property of his niece, Miss [Janette] Taylor of Dumfries [Scotland]. They consist of several bound folio volumes of letters and documents, which are officially authenticated, so far as they are public papers; numerous scrolls and copies of letters; and many private com-

mander-in-chief in an expedition against Nassau, New Providence. He next commanded the sloop "Providence" and later the "Alfred," in which vessels he cruised successfully against the British. In June,

munications, originating in his widely-diffused correspondence in France, Holland, America, and other quarters. There is, in addition to these, a collection of writings of the miscellaneous kind. . . . The Journal of the Campaign of 1788 against the Turks, forms of itself a thick Ms. bound volume."—Memoirs of Rear-Admiral Paul Jones (Edinburgh, 1830), pp. ix–x.

The papers of the Mrs. Janette Taylor collection are now widely scattered, and have probably all or nearly all passed out of the possession of the Paul family. As late as 1907, however, some of them were owned by a granddaughter of one of Jones's sisters, residing in Paris, who sold her collection to Gen. Samuel C. Lawrence and Mr. Charles T. Gallagher.—Boston Herald, July 26, 1907. About 1820 a large part of this collection was sent to America and submitted to the New York Historical Society, with a view to the publication of a biography, but the society decided not to undertake it.—Sands, Life and Corr. of J. P. Jones, p. 4. Apparently these documents were returned to Scotland. About 1829 Miss Janette Taylor, a niece of Jones, came to America with copies of all the documents that were used by the author of the Edinburgh biography, that is, copies of all or nearly all of the Mrs. Janette Taylor collection. These were used by Mr. Robert C. Sands in the preparation of a biography of Jones entitled Life and Correspondence of John Paul Jones (New York, 1830)—see the same, pp. 7–8.

Three biographies of Jones, those of Sherburne and Sands and the Edinburgh biography, appeared during the years 1825–1830, each drawing heavily on Jones's papers and each publishing many of them in extenso. The cream of these papers are to be found in these volumes. Since 1830 several more or less

1777, he was made commander of the ship "Ranger," and a few months later he proceeded to France, where he arrived in December of that year.

It is at this point in Jones's career that his relations with foreign governments began, and it is in these that we are especially interested. Ambitious for distinction, he had perceived that European waters offered a most promising field for naval operations, a field in which his knowledge of the coast of the British Isles could be put to good use. Before leaving the United States he had received assurances from the American government that he should be given the command of a large vessel, called the "Indien," that was being built at Amsterdam for the American commissioners. Unfortunately for Jones, the commissioners, in view of the obstacles to manning and equipping the ship in a neutral port, sold her to the French government. Not easily discouraged and fertile in

popular accounts of Jones's life have been printed, but they add little to the reliable information respecting him. In the preparation of this lecture I have used chiefly the biographies of Sherburne and Sands and the original Jones papers in the Library of Congress.

In addition to the private papers of Jones the official papers found in the archives in Paris, London, and Washington are of value. The United States state department originally possessed a considerable collection of Jones materials, but these have recently in large part been transferred to the Library of Congress. Peter Force made transcripts of a large part of the state department collection and these are now found also in the Library of Congress.

resources, Jones devised various plans for obtaining a command equal to his rank and likely to gratify his ambition. As the "Ranger," which ship he still commanded, was too small to be of much use in carrying out his comprehensive plans, Jones addressed himself to persuading the French government to provide him with an adequate command. He wrote to Sartine, the French minister of marine, to the king of France, to various influential persons in or about the French court, to French naval officers, to French ladies of influence, to Dr. Franklin, and to others whom he thought to be in a position to help him.[2] The contents of the more important letters addressed by him to high officials disclose his dealings with the French government. On March 31, 1778, he wrote as follows to Sartine, the French minister of marine, enclosing by way of introduction a letter written by the Committee of Secret Correspondence to the American commissioners respecting himself:—

"My reason for laying this letter before you is because I am destined by Congress to command a frigate of a very large construction lately built at Amsterdam—and as political reasons made it necessary for that frigate to become French property, I am now induced to hope that on her arrival in France she will again become the property of America, and of course be put under my command. . . . The Admiral Count

[2] C. H. Lincoln, Calendar of John Paul Jones Manuscripts in the Library of Congress, 38–71.

d'Orvilliers has, I doubt not, communicated to you a project of mine. I am, sir, ambitious of being employed in active and enterprising services—but my ship is of too small a force, and does not sail so fast as I could wish."[3]

Soon after this letter was written Jones sailed on a cruise in the "Ranger" off the Irish and Scottish coasts; and after capturing several prizes, including the ship of war "Drake," returned to France. He had now, either through efforts of his own or through those of Franklin, obtained the ear of Sartine, and early in June he was called to Paris for purposes of consultation. He visited Sartine at Versailles and various plans for his employment were discussed.[4] On June 5 he submitted to Sartine and the commissioners plans for operations. Three fast sailing frigates with one or two tenders should enter the Irish channel and burn the town of Whitehaven and the shipping there. The same force would be sufficient to take the bank of Ayr in Scotland and destroy the town of Clyde, or to commit similar depredations at other places. The fishery at Cambletown, the shipping in Irish ports, the coal shipping at Newcastle, and the towns on the east and north coasts of England and Scotland might be destroyed. It was feasible to intercept the enemy's West India or Baltic fleets and his

[3] J. H. Sherburne, Life and Character of John Paul Jones, 67–68.

[4] Sherburne, 74, 77, 79.

Hudson Bay ships or to attack his Greenland fishery.[5]

Now buoyed up by hope and now cast down by disappointment, Jones, during the summer and fall of 1778, left no stone unturned in pursuit of his object. He wrote to Sartine, to His Highness the Prince of Nassau, to His Royal Highness the Duc de Chartres, and finally to His Most Christian Majesty, Louis, King of France and Navarre. An extract from his letter to the last-named, dated October 19, 1778, will show what vicissitudes he passed through during several months of restless inactivity:

"After my return to Brest in the American ship of war the 'Ranger' from the Irish Channel, his Excellency, Dr. Franklin, informed me by letter, dated June 1st, that M. de Sartine, having a good opinion of my conduct and bravery, had determined, with your Majesty's consent and approbation, to give me the command of the ship of war the 'Indien' which was built at Amsterdam for America, but afterwards for political reasons made the property of France. I was to act with unlimited orders under the commission and flag of America. And the Prince de Nassau proposed to accompany me on the ocean.

"I was deeply penetrated with a sense of the honor done me by this proposition, as well as of the favor which your Majesty intended thereby to confer on America, and I accepted the offer with the greater pleasure as the Congress had sent me to Europe in the 'Ranger' to command the 'Indien,' before the ownership of that vessel was changed.

[5] Sherburne, 70–71.

"The minister desired to see me at Versailles to settle future plans of operations, and I attended him for that purpose. I was told that the 'Indien' was at the Texel, completely armed and fitted for sea, but the Prince de Nassau was sent express to Holland, and returned with a very different account—the ship was at Amsterdam, and could not be got afloat or armed before the September equinox.

"The American plenipotentiaries proposed that I should return to America; and as I had been appointed repeatedly to the chief command of an American squadron to execute secret enterprises, it was not doubted but that Congress would again show me a preference. M. de Sartine, however, thought proper to prevent my departure by writing to the plenipotentiaries (without my knowledge), requesting that I might be permitted to remain in Europe, and that the 'Ranger' might be sent back to America under another commander, he having special services which he wished me to execute. The request they readily granted, and I was flattered by the prospect of being enabled to testify by my services my gratitude to your Majesty as the first prince who has so generously acknowledged our independence.

"There was an interval of more than three months before the 'Indien' could be got afloat. To employ that period usefully, when your Majesty's fleet was ordered to sail from Brest, I proposed to the minister to embark in it as a volunteer, in pursuit of marine knowledge. He objected to this, but at the same time approved of a variety of hints for private enterprises, which I had drawn up for his consideration.

"Two gentlemen were appointed to settle with me

the plans that were to be adopted—who gave me assurance that three of the best frigates in France, with two tenders, and a number of boats, should be immediately put under my command, and to pursue such of my own projects as I thought proper; but this fell to nothing, when I believed that your Majesty's signature only was wanting.

"Another armament, composed of cutters and small vessels at L'Orient, was proposed to be put under my command, to alarm the coasts of England, and check the Jersey privateers; but happily for me this also failed, and I was saved from ruin and dishonor; for, as I now find, all the vessels sailed slow, and their united force was very insignificant.

"The minister then thought fit that I should return to Brest to command the 'Lively,' and join some frigates on an expedition from St. Malo to the North Sea. I returned in haste for that purpose, and found that the 'Lively' had been bestowed at Brest, before the minister had mentioned that ship to me at Versailles. This was, however, another fortunate disappointment, as the 'Lively' proves, both in sailing and equipment, much inferior to the 'Ranger,' but more especially if it be true, as I have since understood, that the minister intended to give the chief command of the expedition to a lieutenant, which would have occasioned a very disagreeable misunderstanding; for, as an officer of the first rank in the merchant marine, who has ever been honored with the favor and friendship of Congress, I can receive orders from no inferior officer whatever. My plan was the destruction of the English Baltic fleet, of great consequence to the enemy's marine, and then only protected by a

single frigate! I would have held myself responsible for its success had I commanded the expedition.

"M. de Sartine afterwards sent orders to Count D'Orvilliers to receive me on board the fleet, agreeable to my former proposal, but the order did not arrive until after the departure of the fleet the last time from Brest, nor was I made acquainted with the circumstance before the fleet returned here.

"Thus have I been chained down to shameful inactivity for nearly five months. I have lost the best season of the year, and such opportunities of serving my country and acquiring honor as I cannot again expect this war; and, to my infinite mortification, having no command, I am considered everywhere an officer cast off, and in disgrace for secret reasons."[6]

In the end Jones's persevering efforts were crowned with success. On February 4, 1779, Sartine wrote to him that the king had thought proper to place under his command the French ship "Duras," of forty guns.[7] Jones attributed his good fortune to his going to Paris and to his activities there in his own interest. At his request the "Duras" was renamed the "Bon Homme Richard" in memory of Poor Richard's saying, "If you would have your business done, come yourself; if not, send."[8] Some credit, however, should be given to Franklin, who greatly aided Jones in moving the French government to accede to his wishes.

Before the "Bon Homme Richard" was ready for

[6] Sherburne, 79–80.

[7] Sherburne, 85–86.

[8] E. E. Hale, and E. E. Hale, Jr., Franklin in France, I, 257.

sea, three other French ships and the American frigate "Alliance" were joined with her, making a small fleet, which was under a rather mixed establishment. The commanders of the "Bon Homme Richard" and "Alliance" had commissions in the American navy, and the commanders of the three French ships had commissions in the French navy. The expense of the fleet was borne by the French government. The fleet was fitted out under the superintendence of M. Leray de Chaumont, the joint agent of the French government and Franklin. The orders of Jones were prepared by Sartine, translated and signed by Franklin, and sent to Jones by Chaumont. The fleet sailed under the American flag.[9]

By the first of June Jones was ready for sea, and a plan for an expedition against the coast of England was decided upon, according to which both troops and sea forces were to be employed, the former to be commanded by Lafayette, and the latter by Jones. This plan however was abandoned. Late in June Jones made a cruise along the coast of France, but accomplished little. Not until August 14 did he put to sea upon the expedition that was to bring him undying fame. With the details of Jones's memorable achievements we are not here concerned. He sailed first up the west coast of Ireland and Scotland, thence around the north coast of Scotland, and thence down

[9] C. O. Paullin, Navy of the American Revolution, 295–296.

the east coast of Scotland and England. On August 18 he captured the ship "Verwagting" and a few days later the brigs "Mayflower" and "Fortune." Between August 31 and September 21 he took thirteen vessels, chiefly off the Scottish coast. On September 23 he fought the battle of Flamborough Head, which ended in the surrender of the two British ships of war, "Serapis" and "Countess of Scarborough." Soon after the battle the "Bon Homme Richard" sank at sea, and Jones transferred his flag to the "Serapis." He brought his two prizes and the "Alliance" into the Texel, where his cruise came to an end on October 3, 1779.

In December Jones sailed in the "Alliance" to France, where he remained about a year. He again laid before the French authorities some plans for expeditions against the English, he solicited the aid of that government in carrying them out, and he urged it to distribute the prize money arising from the sale of the prizes captured by his fleet in the late expedition.[10] His efforts, however, were unavailing. In December, 1781, he returned to America, where he spent the larger part of the period 1782–1783.

Of the prizes captured by Jones, four reached France, two brigantines and the "Serapis" and "Countess of Scarborough." The last-named was

[10] Sherburne, 181, 208, 219; Continental Congress Papers, Library of Congress, 137, III, 215.

sold at Dunkirk, and the three first-named at L'Orient. The proceeds derived from their sale were turned over to Chaumont, the joint agent of the French and American governments. Three prizes, the "Betsey," "Union," and "Charming Polly" were sent to Bergen, Norway, where they were restored to the British by the Danish government, acting in response to a representation made by the British minister to Denmark. These dispositions of Jones's prizes laid the basis of claims against both France and Denmark—against France for a distribution of prize proceeds, and against Denmark for a restoration of prizes or for a reimbursement for their loss. Franklin tried to obtain a settlement of both claims, but failed.

In November, 1782, Thomas Barclay was appointed commissioner for settling the Revolutionary accounts in Europe.[11] At the end of a year he had made little progress in the adjustment of prize accounts, and John Paul Jones, in response to a request made by himself to Congress, was appointed by that body agent to solicit the payment of all prize money arising from the sale of prizes captured by him. The precise terms of his appointment may be seen from the following extract from the Journals of the Continental Congress for November 1, 1783.

"On the report of a committee consisting of Mr. S. Huntington, Mr. A. Lee, and Mr. Duane, to whom

[11] Journals of the Continental Congress, Nov. 18, 1782.

were referred a letter from Captain J. P. Jones, to the agent of marine, of the 13th October, and a letter from him to Congress of the 18th of the same month,

"Resolved, that Captain John Paul Jones be, and he hereby is recommended to the minister plenipotentiary of the United States, at the Court of Versailles, as agent to solicit under the direction of the said minister for payment and satisfaction to the officers and crews, for all prizes taken in Europe under his command and to which they are in anywise entitled. And that the said Captain J. P. Jones shall receive the commission usually allowed in such cases out of the money which he shall recover as agent for the said prizes, in full compensation for his services and expenses: Provided always that the said Captain J. P. Jones, previous to his entering upon the execution of the said trust shall give to the superintendent of finance, for the benefit of all concerned, sufficient bonds with good security, for the faithful discharge thereof, and for the just payment of the same to the said superintendent of finance, to be by him distributed to those persons who may be entitled thereto."[12]

After giving bond to Robert Morris, the superintendent of finance, for two hundred thousand dollars, Jones on November 10, 1783, sailed from Philadelphia for France on the packet "Washington."[13] Owing to unfavorable weather the vessel put into Plymouth, and Jones proceeded to Paris by way of London. On

[12] Journals Cont. Cong., Nov. 1, 1783.

[13] [R. C. Sands], Life and Correspondence of John Paul Jones, 351.

December 17 Franklin gave him a letter empowering him to act as agent, which read as follows:—

"In pursuance of a resolution of Congress of the first of November, 1783, a copy whereof is hereunto annexed, I do hereby authorize and direct you to solicit as agent, for payment and satisfaction to the officers and crews, citizens or subjects of the said United States, for all prizes taken in Europe under your command, and to which they are in anywise entitled, and in whose hands soever the prize money may be detained."[14]

Jones was cordially received by Castries who had succeeded Sartine as minister of marine, and by Vergennes, the minister of foreign affairs. On December 20, 1783, the former presented him to the king. Negotiations between Jones and Castries were begun on February 1, 1784.[15] On discovering that Chaumont, who had possession of the prize money, was insolvent, Jones obtained the consent of the French government to hold itself responsible for the American claims.[16] The amount of money involved according to a paper certified by Jones was 353,366 livres, 10 sous, 6 deniers.[17]

The correspondence that passed between Jones and Castries is now partly lost. That which remains

[14] Sherburne, 239–240.

[15] Sands, 351–352; Sherburne, 240–241.

[16] Journals Cont. Cong., Oct. 11, 1787; Force Transcripts, Library of Congress, 138, I, 368.

[17] H. Rept., 30 Cong., 1 sess., no. 9, 53.

shows that Jones contended for the following points: (1) That the proceeds should be distributed in accordance with the resolutions of Congress; (2) that a deduction of four deniers a livre for the benefit of the Hôtel des Invalides at Paris required by French law in the case of French ships, should not be exacted; (3) that the charges for repairs on the "Serapis" and "Countess of Scarborough" made in the Texel should not be deducted from the proceeds; and (4) that allowances in favor of the captors should be made for the use of their prizes as prison ships in the Texel and for certain damages done the "Serapis" at L'Orient. Jones gained the 2d and 3d points, but he lost the 1st and 4th. The prize money was divided in a more or less arbitrary manner in accordance with principles of both French and American law.[18]

An agreement was reached by Jones and Castries on October 23, 1784, but Castries, on one pretext or another, long delayed payment. At first he insisted that Jones should give security for the prize money, but was finally induced to recede from this demand. The method of paying the money also became a subject of controversy. Castries desired Jones to make application to the ordonnateur of L'Orient. Anticipating difficulties, Jones asked that that official be spe-

[18] Sherburne, 240–252; Sands, 352–355, 539; Force Transcripts, 138, I, 371–372.

cifically ordered to pay the money. On July 15, 1785, Castries gave such orders. A French merchant named Puchilberg now came forward and produced a letter of attorney authorizing him to receive the share of prize money belonging to the officers and crew of the "Alliance," and he demanded it. The claims of Puchilberg were finally disallowed, and about May, 1786, Jones had the satisfaction of receiving into his hands 181,039 livres, 1 sou and 10 deniers, the money due to the American officers and seamen (and a few foreigners) of the "Bon Homme Richard" and "Alliance." In July of that year he paid over to Thomas Jefferson the balance remaining in his hands after all expenses of settlement and the advances made by him had been deducted, amounting to 112,712 livres, 2 sous, and 4 deniers. He retained 47,972 livres and 11 sous as payment for his expenses, an allotment considerably in excess of the sum due him, found by calculating at the rate of five per cent on the sum collected. The board of treasury reported adversely to his receiving the excess, but, in view of the difficulties of his mission and the long time required for it, the Continental Congress authorized him to retain the money.[19]

In 1837 a considerable part of the sum collected by

[19] U. S. Diplomatic Correspondence (Washington, 1837), I, 639–647, 678–680; Sherburne, 252–257, 261–266; Jefferson's Works, Mem. Ed., V, 52–54; Journals Cont. Cong., Oct. 11, 1787; Force Transcripts, 137, I, 367–383.

Jones, $3899.68, still remained in the treasury unclaimed. Col. J. H. Sherburne, the register of the United States navy department at Washington, interested himself in seeing that this money went to its rightful owners, and was largely instrumental in obtaining the passage of a law reappropriating it to them. By the end of 1842 the entire sum had been paid out of the treasury.[20]

Soon after the Danish government had restored to the British the three prizes sent into Bergen by Jones's fleet, Franklin entered into correspondence with that government respecting its questionable action. On December 22, 1779, he wrote to Count Bernstorff, the Danish minister of foreign affairs, demanding the restoration of the prizes to the Americans, or in case that were impossible, the payment of their value, £50,000. Bernstorff made a diplomatic reply, and referred Franklin to Baron de Blome, the Danish minister in Paris. At a conference between Franklin and de Blome the latter excused the surrender of the prizes on the ground that Denmark was bound to observe her treaties with Great Britain. Later Franklin took the matter up with Baron de Walterstorff, a diplomatic agent of Denmark, who offered £10,000 as an indemnification. Franklin refused to accept this sum, since the prizes had been valued at £50,000. On May 31,

[20] Ex. Doc., 24 Cong., 2 sess., no. 115; U. S. Statutes at Large, V, 158; Sherburne, 366–368.

1780, Congress approved Franklin's conduct in reclaiming the prizes, and authorized him to pursue such further measures as he thought would be conformable to its views.[21]

On August 30, 1784, Adams, Franklin and Jefferson, American commissioners for negotiating treaties, adopted a resolution that it was their opinion that John Paul Jones should apply to the court of Denmark for the recovery of an adequate compensation for the prizes surrendered to the British.[22] On effecting a settlement of the claims against France, Jones in the fall of 1785 had turned his attention to the claims against Denmark, but as there was no Danish minister in Paris at this time, and as Jones was disinclined to go to Denmark, he proposed to Jefferson that Dr. Edward Bancroft, an American of some diplomatic experience residing in London, should be empowered to conduct negotiations with the Danish minister there. Jefferson approved of the proposal, and John Adams, the American minister at the court of St. James, was asked to aid Bancroft. Adams tried to communicate with Walterstorff, who about this time departed for the West Indies, but failed to receive a reply. He now recommended to Jefferson that the negotiations be conducted at Paris

[21] Sherburne, 268; S. Doc., 24 Cong., 1 sess., no. 198, 56; Wharton's Rev. Dipl. Corr., III, 744; Rept. of Com., 30 Cong., 1 sess., no. 9, 44; Secret Journals Cont. Cong., May 31, 1780.

[22] U. S. Dipl. Corr., I, 503.

with the Danish minister there, a new one having been appointed. In the end Jones decided to go to Copenhagen and negotiate directly with the Danish minister of foreign affairs. Having obtained a letter of introduction from Vergennes to the French minister at the Danish capital he set out in the spring of 1787 on a journey to that city, but at Brussels he decided to postpone his mission and to return to America where his private affairs demanded his attention.[23]

After spending several months in his home country, Jones in October, 1787, made preparations for his return to France. On the 25th of that month, Congress passed resolutions authorizing the American minister at the court of Versailles to make proper representations to the Danish king respecting the American claims, and to despatch John Paul Jones, or such agent as he might appoint, to the Danish court, with powers to carry on negotiations and to conclude an arrangement, which should be subject to the minister's approval. The agent was to receive five per cent for his services.[24]

Jones sailed from New York on November 11, 1787, spent a few days in London where he conferred with Adams respecting his mission, and arrived in Paris about the middle of December. In January,

[23] Sherburne, 267–270, 369–371.

[24] Journals Cont. Cong., Oct. 25, 1787.

1788, Jefferson gave him his credentials as agent to Denmark, with a letter to the Danish minister of foreign affairs, and early in March he arrived at Copenhagen. He delivered his letter of introduction to the French minister, and on March 6 the latter presented him to the Danish minister of foreign affairs, with whom he had an interview.[25] Respecting this Jones wrote as follows:

"I was much flattered with my reception, and our conversation was long and very particular respecting America and the new constitution, of which I presented a copy. He observed that it struck him as a very dangerous power to make the president commander-in-chief; in other respects it appeared to please him much as leading to a near and sure treaty of commerce between America and Denmark. It was a day of public business, and I could not do more than present your letter. I shall follow the business closely. In a few days when I am reestablished in health, I am to be presented to the whole court and to sup with the king. I shall after that be presented to all the corps diplomatique and other persons of distinction here. I am infinitely indebted to the attentions I receive from the minister of France."[26]

On the 17th Jones was presented by the French minister to the king, the royal family, and the chief personages of the royal palace. A week later he laid before

[25] Sherburne, 274–275, 278–279; Sands, 379–383; U. S. Dipl. Corres., 130–131, 152–155.

[26] Sands, 381.

the Danish minister of foreign affairs a written letter stating the objects of his mission. Impatient to proceed to St. Petersburg and take advantage of an offer to enter the Russian naval service, he again wrote to the minister on March 30. On April 4 the minister made a reply in which he refused to negotiate, on the ground that Jones had not been given plenary powers by Congress and that it was contrary to custom to change the place of negotiation from one city to another, in this case from Paris to Copenhagen. Communications were at once brought to a close, Jones proceeded to St. Petersburg, and his mission to Denmark came to an end.[27]

On April 4, 1788, before Jones left Copenhagen, King Christian granted him an annual pension of fifteen hundred crowns, Danish money. The object of the king in this gracious act was, as he said, to prove his esteem in consequence of the regard which Jones had shown for the Danish flag during the time of his command in the northern seas. Under all the circumstances surrounding the grant, one is not estopped from suspecting that the king wished to constrain Jones from pushing his claim to the prizes. From motives of delicacy Jones for a time declined to receive the pension. Three years later, however, being in need of money, he decided to avail himself of it, but he found that the king's promises were an

[27] Sherburne, 280–287; Sands, 383–393.

empty compliment. The following item appears in the schedule of property that Jones dictated in 1792 shortly before he died: "Upwards of four years of my pension due from Denmark, to be asked from the Count de Bernstorff."[28]

On receiving from Jones an account of the failure of the mission, Jefferson wrote to the Danish minister of foreign affairs expressing his willingness to renew the negotiations at Paris and asking that a Danish representative be authorized to treat with him. Not receiving a reply, he wrote a second letter to the same effect. The Danish government however did not care to renew them, and the American claim remained unsettled.[29]

The officers and crew of Jones's fleet and their descendants did not permit the claim against Denmark to be forgotten. In 1805 the captain of the "Alliance," Peter Landais, memorialized Congress to pay him his share of the three prizes. In a report on this memorial, James Madison, secretary of state, declared that the claim against Denmark was valid. Congress was also of the same opinion, for on March 28, 1806, it voted Landais $4,000 on account of his claim, which sum was to be deducted from his share of the money to be obtained from Denmark. P. Pedersen, the

[28] Sands, 393–394, 527, 549; H. Ex. Doc., 24 Cong., 2 sess., no. 19, 9–10.

[29] S. Doc., 29 Cong., 2 sess., no. 63, 32–34.

Danish chargé d'affaires in Washington, however, denied the validity of the claim in a letter to the secretary of state dated February 17, 1806.[30]

For six years the matter remained quiescent. On December 14, 1812, it was revived by Secretary of State James Monroe, who on that date addressed a letter to Pedersen saying that the legal claimants expected Denmark to pay the value of the prizes and that it was reported that she had directed the money to be paid. In case the report should prove to be unfounded, he was asked to bring the claim to the attention of his sovereign and obtain a decision. Pedersen replied to the effect that his government had never admitted the fairness and legality of the claim, that for many years it had been considered a "superannuated and abandoned affair," and that the rumor was probably incorrect, but that he would transmit to his government a copy of Monroe's letter, with his own comments thereon. This ended Monroe's efforts to obtain a settlement.[31]

Several years later James Warren, a lieutenant of the "Alliance," petitioned Congress for payment of his share of the prizes, and the Senate committee of claims, to whom the petition was referred, reported (in 1820) that though the American government had

[30] Am. State Papers, For. Rel., II, 773–774; S. Doc., 24 Cong., 1 sess., no. 198, 2, 10; S. Doc., 29 Cong., 2 sess., no. 63, 9–10; U. S. Stat. L., VI, 61.

[31] S. Doc., 24 Cong., 1 sess., no. 198, 9–10.

never abandoned its claim on Denmark there was no reasonable hope that anything would ever be obtained. Secretary of State John Quincy Adams reported at this time that the claim had long ceased to be an object on which negotiation could offer any prospect of success.[32]

Other claimants now petitioned for their share of these prizes, among whom were Janette Taylor, a niece of John Paul Jones, and William C. Parke, a son of Matthew Parke, captain of marines on the "Alliance." In reporting on the case of Parke, the House committee on foreign affairs declared (in 1837) that the claim was valid, that the Convention between Denmark and the United States negotiated in 1830 manifestly and clearly left the claim open to negotiation, since it referred only to claims arising during 1807–1814; and that "there is no lapse of time which discharges a nation of the right to demand of another nation reparation for a palpable wrong."[33]

The persistence of Jones's heirs led the department of state, in 1843, to bring the claim again to the attention of Denmark. Secretary of State H. S. Legare directed Wm. W. Irwin, American chargé d'affaires at Copenhagen, to urge upon the Danish government the justice of the American demand and to express to it the confident hope of the President that there would be no further delay in the settlement of the claim.

[32] S. Doc., 16 Cong., 1 sess., no. 34, 1–3.
[33] H. Rept., 24 Cong., 2 sess., no. 297, 1–3.

Irwin was provided with a letter of Henry Wheaton, the negotiator on the part of the United States of the Convention with Denmark of 1830. In this Wheaton expressed the following opinions: The law of prescription may not run against a just claim between nations; after the lapse of a long period of time, however, controversies over claims must be considered as closed; the operation of the Convention of 1830 does not preclude the American claim; and in surrendering the prizes Denmark did not remain neutral between the United States and Great Britain.[84]

On February 10, 1845, Irwin, in accordance with his orders, addressed a note to Reventlow Criminil, the Danish minister of state and foreign affairs; and under date of June 4, 1847, Criminil wrote a reply in which he made the following points: The treaties between Denmark and Great Britain imposed upon the former power the obligation of surrendering the prizes; the colonies, not having been recognized, could not be considered as being engaged otherwise than in a civil war; the Danish government had never admitted that the claim was founded in justice; Count Bernstorff in his letter to Franklin passed in silence over the question of right because he could not enter upon an official correspondence with the representative of the new republic; the offer of indemnification by Walterstorff to Franklin is styled in the official documents a gratuitous donation, and is mentioned

[84] H. Ex. Doc., 28 Cong., 1 sess., no. 264, 1–10.

under the express reservation that it implied no acknowledgment of the justice of the claim; the lapse of more than half a century had superannuated the claim; the fact that the United States did not present the claim in 1830 during the negotiations for the Convention of that year precludes its being brought forward later; and there is a law of prescription in respect to international claims which applies in this case. While exceptions might be taken to some of these points, it must be allowed that the Danish government presented a rather strong argument. With Criminil's letter the negotiations came to an end, and the United States never renewed them.[35]

In 1848 Congress satisfied the claims of the officers and crews of the "Bon Homme Richard" and "Alliance" by voting them a sum of money equal to their share of the three prizes. It accepted Franklin's valuation of them of £50,000, and decided to adopt the principle of apportionment agreed to by Jones and the French minister of marine in 1784. The $4,000 voted to Landais in 1806 was to be deducted from his share. No interest was allowed.[36] The total sum that was finally divided between the officers and crews of the two ships amounted to $165,598.37. The rest of the £50,000 represented the share of the officers and crews of the three French ships of Jones's fleet. The last government document relating to this subject is a re-

[35] Rept. of Com., 30 Cong., 1 sess., no. 9, 54–56.
[36] U. S. Stat. L., IX, 214.

port made by the first auditor of the treasury department in 1862 giving the names and sums received by each officer and seaman of the "Bon Homme Richard" and "Alliance."[37]

Among other subjects that occupied Jones's attention during his residence abroad was that of the relations between the United States and the Barbary powers, and he had some correspondence with his friend Thomas Jefferson in respect to it.[38] It was therefore natural that Jefferson, when casting about in 1792 (being then secretary of state) for a fit person to undertake a mission to Algiers, should have chosen Jones. On June 1 of that year he wrote to Jones that the President had thought proper to appoint him commissioner for treating with the dey and government of Algiers on the subjects of peace and the ransoming of American captives. He supplied Jones with detailed information respecting the state of our relations with Algiers and sent him two commissions, one to treat for peace, and the other to treat for the ransoming of captives. To these was added a commission of consul to Algiers to which office he was appointed. Before he entered upon his work, however, he died in Paris, on July 18, 1792; and the mission to Algiers, to which we shall again refer, fell to another.[39]

[37] S. Ex. Doc., 37 Cong., 2 sess., no. 11, 1–15.
[38] Sherburne, 270–271.
[39] H. A. Washington, Writings of Jefferson, III, 431–439.

CHAPTER II

Early Relations with Barbary, 1783–1803

The Barbary states stretch more than two thousand miles along the north coast of Africa, between longitudes 10° W. and 25° E., and between parallels 25° and 37° N., and lie in about the same latitude as our Southern States. Their names in order from west to east are Morocco, Algiers or Algeria, Tunis, Tripoli and Barca. The last-named was at the time of which we write a dependency of Tripoli. The chief seaport of Morocco is Tangier, almost opposite Gibraltar. From Tangier to Algiers, the capital of Algiers, is five hundred miles, from Algiers to the capital city Tunis four hundred and fifty miles, from Tunis to the capital city Tripoli three hundred and seventy miles, and from Tripoli to Berne, the capital of Barca, six hundred miles. Of the four states, Algiers and Tunis, at the beginning of the nineteenth century, were by far the most powerful, and had navies much stronger than our own.

In the sixteenth century Algiers, Tunis and Tripoli became tributary to the Turkish sultan at Constantinople, and Morocco established a native dynasty. About the same time the Barbary states organized an

extensive system of piracy, blackmail, and extortion, which flourished until the early part of the nineteenth century. The beginning of piracy in the Mediterranean antedates the coming of Christ, but not until after the fall of Constantinople and the expulsion of the Moors from Spain did it take on its modern phase of an organized profession in the hands of the Barbary corsairs.

The most important source of income was possibly the merchantmen of the Christian nations, with their cargoes of Oriental wares and products, that were captured while on their way home from the Levant, Africa, and the East Indies. Another source of income was the labor of captives, for these were enslaved and forced to perform many of the menial tasks of Barbary. Considerable sums of money were derived from ransoms paid by the friends or the governments of the captives. Still another source of income was the tribute and presents that were given by the Christian nations as the price of peace and forbearance. Treaties and truces were regularly purchased by gifts of money and other valuable articles. According to the system in vogue, tribute was paid annually or semi-annually, and consisted of either cash or stores. Presents were exacted on the conclusion of a treaty, on the change of a consul, and on the accession to power of a new ruler.

In the eighteenth century all the Christian nations

acquiesced in the Barbary system of international intercourse. In 1712 the Dutch purchased the forbearance of the Algerines by the gift of ten 24-pounders, twenty-five large masts, five cables, four hundred and fifty barrels of powder, twenty-five hundred great shot, fifty chests of gun barrels, a quantity of swords and other articles, and five thousand dollars. With their navy thus strengthened, the Algerines soon broke their treaty, and the Dutch paid even more for a second truce. In 1784 Austria sued for a treaty with one of the Barbary powers and agreed to pay tribute. After the Venetians had defeated the Tunisians several times in the war of 1784–1792, Venice paid forty thousand sequins and some handsome presents for a treaty of peace. About the same time Spain gave one hundred thousand piastres as the price of immunity from piracy.[1]

Not only were the nations of Christendom subjected to a considerable expense, but their agents were often barbarously treated. On one occasion the bey of Tunis ordered the consul of France to kiss his hand. At first the Frenchman refused to do so, but he was moved to comply when the bey threatened to kill him. In 1762 a similar request was made of an English ambassador, but this time the bey agreed to a compromise and accepted the osculations of some

[1] Stanley Lane-Poole, Story of the Barbary Corsairs, 257–259.

of George II's naval officers. When on a certain occasion a Maltese cook of a foreign consul at Algiers became objectionable to the ruler of that state, he was taken by force from the consul's house and sent away in irons. In 1808 a Danish consul was seized, heavily ironed, and set to labor with slaves; his wife died from fear and alarm.[2]

The explanations given for the disgraceful and criminal submission of the Christian peoples to the outrages committed by the Barbary pirates are not altogether satisfactory. Why should strong civilized powers permit weak semibarbarous states to prey upon their commerce, enslave their citizens, insult their officials, and levy tribute and blackmail? Was it fear, cowardice, self-interest, inertia, preoccupation, or the habit of submission that led to their debasement? Doubtless each of these forces had its restraining effect. The interests of the great trading nations moved them to purchase immunity for their own vessels and leave those of their weak rivals to be captured. A recollection of the really formidable states of Barbary of the sixteenth century caused the resources and courage of these fast-declining powers to be greatly exaggerated in the eighteenth and nineteenth centuries. The jealousy of the Christian peoples of each other made their united

[2] Lane-Poole, 257, 264–265. It should be noted that the foreign consuls in Barbary were diplomatic as well as commercial agents.

action against the Moslems difficult or impossible. Moreover, the larger questions of public policy pushed aside such small ones as the suppression of piracy in the Mediterranean.[3]

To understand the early relations between the Barbary states and America, it is necessary to keep in mind the customs, described above, which regulated the conduct of these states with the Christian powers. It must also be remembered that the United States, having fought a long and expensive war, was heavily in debt and had little credit, and that the central government was weak, poorly organized, and in a state of transition. From 1785 to 1797 we had no navy with which to defend our citizens and our commerce, or with which to compel other nations to respect our rights. It is well to note in passing that the treaties between the United States and the Barbary powers possess an exceptional character, since they are not contracts between equals. The Barbary powers did not belong to the family of nations. Their rulers had little or no sense of honor, were childish and irresponsible, and possessed minds psychically different from those in authority in Christian lands.

Previous to the Revolution, the American colonies had a considerable trade with Barbary which, according to Thomas Jefferson, consisted of one-sixth of their export trade in wheat, one-fourth of their

[3] Lane-Poole, 256–257.

dried and pickled fish, and some rice and other articles. He estimated that from eighty to one hundred ships, of about twelve hundred seamen and twenty thousand tons burden, were engaged in the outward trade to Barbary.[4] As long as the colonies were dependent upon Great Britain, their commerce received the protection of the mother country. With the outbreak of the Revolution, however, this protection was removed, and the duty of guarding American merchantmen in foreign seas fell to the Continental Congress, which early turned its attention to this subject. Its first plan was to substitute the protection of France for that of Great Britain, and a provision obligating France to protect, defend, and secure American citizens and their vessels from the attacks and depredations of the Barbary powers was inserted in a proposed French treaty, the draft of which was adopted on September 17, 1776. Congress evidently had doubts whether France could be induced to agree to so comprehensive a provision, for the commissioners to France were instructed to obtain it if possible, but to waive it rather than to permit it to interfere with their negotiations. They were further instructed, in case the provision were waived, to include an article binding the king of France to use his interest and influence to procure passes from the Barbary states for American vessels. As was to

[4] Am. State Pap., For. Rel., I, 104.

be expected, France refused to accept the rôle of protector, but agreed to employ its good offices with the Barbary rulers to secure the immunity of American citizens and vessels from attack and depredation.[5]

Obviously the United States would not for any considerable time rely on France to protect her commerce, but would deal directly with the Barbary states along the lines followed by the European powers. As early as September, 1778, the French government recommended this procedure to the American commissioners, and they applied to Congress for authority to treat with the Barbary rulers and for money to be expended for presents, but Congress did not see its way clear at this time to take up the subject of treaties.[6]

As soon as the Revolution came to an end, the negotiation of treaties engaged the attention of Congress and of its diplomatic agents in Europe. In September, 1783, John Adams, American peace commissioner, recommended to the president of Congress the making of treaties with the Barbary powers, either by the American ministers or by an agent appointed by them.[7] Nine months later, in May, 1784, Congress issued commissions to John Adams, Benjamin Franklin, and Thomas Jefferson, granting them or a

[5] Secret Journals Cont. Cong., II, 10, 28; U. S. Stat. L., VIII, 6.

[6] Wharton's Rev. Dipl. Corr., II, 698, 731, 743, 752; III, 192.

[7] Works of John Adams, VIII, 150.

majority of them plenary powers to negotiate treaties with various countries including Morocco, Algiers, Tunis and Tripoli.[8] Since the commissioners' duties made it inadvisable for them to go in person to Barbary, Congress, some months later, authorized them to delegate their power to agents, retaining with themselves however the right to approve or disapprove the work of the agents.[9] Accordingly in the fall of 1785, Adams, then minister to England, and Jefferson, then minister to France, appointed Thomas Barclay and John Lamb diplomatic agents, the one to negotiate a treaty with Morocco, and the other with Algiers. As a preliminary step, the commissioners made a study of the treaties between the Barbary states and the leading European powers, and Jefferson prepared a draft of a treaty which he sent to Adams for correction and amendment.[10]

Barclay entered into negotiations with the emperor of Morocco in the summer of 1786, and finding that ruler well disposed towards the United States soon brought his task to a successful conclusion. His treaty was signed by Adams and Jefferson in January, 1787, and was ratified by Congress on the 18th of the following July. The only expense that he incurred was a few thousand dollars for presents. No

[8] U. S. Dipl. Corr., I, 501–502; Secret Journals, III, 536–537.
[9] Secret Journals, III, 537–538.
[10] Jefferson's Works, Mem. Ed., V, 54; U. S. Dipl. Corr., I, 628, 652–653, 656–674.

tribute was to be paid. As the first treaty between the United States and a non-European and non-Christian power, it possesses considerable importance. It contains twenty-five articles, many of them of great liberality. Among its important provisions are the following, several of which, it should be noted, would not be applicable to civilized powers:—

If either party should be at war, the other was to remain neutral and not to take a commission with the enemy. Citizens of the United States captured by the Moors were to be released. Vessels putting into the ports of either country in want of supplies were to be furnished with them. Shipwrecked vessels and vessels forced into port through stress of weather were to be protected. The commerce with the United States was to be on the footing of that of the most favored nation. In case of war, prisoners were not to be enslaved, but were to be exchanged. American consuls were to be permitted to reside in the seaports of Morocco. The consul was to assist at the trial of Americans for crime—a partial recognition of the principle of exterritoriality. The treaty was to be in force for fifty years.[11]

In July, 1785, some Algerine cruisers captured two American vessels and carried them, with their crews, numbering twenty-one men, to Algiers. When Adams and Jefferson heard of this outrage, Lamb, the

[11] For text of treaty see U. S. Stat. L., VIII, 100–105, or U. S. Treaties and Conventions (1910), I, 1206–1212.

American agent, was on the point of setting out to Algiers. Before he left France, he was directed to ransom the American captives at the rate of two hundred dollars a man. On reaching Algiers, Lamb discussed with the dey the subject of ransom, and the dey expressed a willingness to surrender the prisoners on the payment of upwards of three thousand dollars a man. This being so greatly in excess of the sum Lamb was authorized to pay, the negotiations for the ransom of captives, and with them those for a treaty of peace, fell through, and the mission proved fruitless.[12]

In the meantime Adams and Jefferson had been conferring with Abdurrahman, the Tripolitan ambassador in London, with respect to a treaty between the United States and Tripoli. At Adams's request Jefferson went to London to meet the ambassador, and in March the two ministers had an interview with him, at which he stated the terms on which a treaty of perpetual peace might be had, thirty thousand guineas for his employers and three thousand pounds for himself. This, he said, must be paid in cash on the delivery of the treaty, and no kind of merchandise would be accepted. The ministers replied that the demands exceeded their expectations, and that they could not proceed farther without fresh instructions

[12] U. S. Dipl. Corr., I, 652–653, 656–659, 661–662, 737–738, 772–776, 801–804.

from Congress. In giving an account of their negotiations, they observed that, if Congress should direct them to make the best terms they could with the Barbary states, they might be able to borrow from Holland the money that would be needed. John Jay, the secretary for foreign affairs, reported against the loan and Congress did not authorize it.[13]

The possession of twenty-one American prisoners by Algiers made their release and the negotiation of a treaty with that country live questions. In 1787 Jefferson obtained leave of Congress to employ the religious order of Mathurins in purchasing the release of the prisoners, but this plan was rendered abortive by the French Revolution. Next the American consul at Marseilles and several other Americans attempted to procure the freedom of the prisoners, but they also failed.[14]

A petition of the captives and two reports made by Jefferson in 1790 when he was secretary of state once more brought the Algerine question before Congress. Proposals were made to obtain satisfaction either by means of a naval force, or by the use of money. On May 8, 1792, the Senate expressed its willingness to pay $40,000 at the outset for a treaty of peace, $25,000 annually as tribute, and $40,000 for ransoming the prisoners.[15] On the same day Con-

[13] U. S. Dipl. Corr., I, 604–608; II, 565–573.
[14] Washington's Jefferson, III, 432–433.
[15] Am. State Pap., For. Rel., I, 136.

gress appropriated $50,000 for the expense of a mission to Algiers, and on June 1 John Paul Jones was chosen peace commissioner, but died, as we have seen, before he entered on his mission.[16] Thomas Barclay was next selected, but he also died, and the office fell to David Humphreys, who received his instructions in September, 1793. About this time the dey entered into a truce with Portugal, which left his vessels free to pass through the straits of Gibraltar and to capture American merchantmen. This favorable turn in his affairs rendered him so independent that he refused to see Humphreys, who was forced to abandon his mission. In October and November, 1793, the dey's ships captured no less than eleven American vessels, and the prisoners taken increased the number of his American captives to one hundred and nineteen.[17]

On receiving news of these aggressions, Congress prepared for war. Early in 1794 it authorized the construction of six frigates and the procuring of ten smaller vessels to be equipped as galleys. These measures take on an additional interest from the fact that they laid the foundation of the American navy. Three of the six frigates, the "Constitution," "Constellation," and "United States" were launched in 1797 and were the first ships in the navy established

[16] U. S. Stat. L., I, 285. See above, p 42.

[17] T. B. Wait, State Papers and Publick Documents, X, 268–276; Am. State Pap., For. Rel., I, 292–294.

under the Constitution. While these warlike preparations were under way, the government decided to make a last attempt to attain its objects through peaceful means. Humphreys was again ordered to negotiate a treaty with the dey, and this time an assistant agent, Joseph Donaldson, Jr., was associated with him. In April, 1795, they sailed for Europe. Leaving Humphreys in Paris, Donaldson proceeded to Algiers, and there on September 5, 1795, after bargaining with the dey for two days, he entered into a treaty of peace with him and agreed to terms for ransoming the prisoners.[18]

The treaty was approved by Humphreys on November 28, 1795, and its ratification was advised by the Senate on March 2, 1796. The treaty was more costly and less liberal than that with Morocco. Its cost, including ransom money, presents, commissions, and other charges, was $642,500.[19] The United States agreed to pay an annual tribute of maritime stores of the value of $21,600. This is the only instance in which the United States ever agreed to pay tribute. The treaty contained a shipwreck convention, but it did not recognize the principle of exterritoriality.[20]

[18] G. W. Allen, Our Navy and the Barbary Corsairs, 48–52. U. S. Stat. L., I, 350, 376; Wait's State Pap., X, 312–318; Am. State Pap., For. Rel., I, 414, 415.

[19] Theodore Lyman, Diplomacy of the United States, II, 365.

[20] For text of treaty see U. S. Stat. L., VIII, 133–137; U. S. Treat. and Conv., I, 1–6.

Becoming impatient at not receiving the ransom money and presents as soon as he expected them, the dey threatened to repudiate the treaty, and his adhesion to it was purchased by Donaldson and Joel Barlow (another of Humphreys's diplomatic agents) by the promise of a gift of a frigate. In due course of time a ship of war called the "Crescent," which was built at Portsmouth, New Hampshire, was sent to the dey by the United States government.[21]

The third Barbary state to enter into a treaty with the United States was Tripoli. Joel Barlow, who had been appointed consul general for Algiers conducted the negotiations. The treaty was signed on November 4, 1796, approved by Humphreys on February 10, and ratified on June 10, 1797. It was more favorable to the United States than the treaty with Algiers, and cost less—its cost was about $56,000. It contained a provision stipulating that no tribute was to be paid. Peace was guaranteed by the dey of Algiers, who was also to arbitrate disputes over violations of its articles. It contained a shipwreck convention and a most-favored-nation clause, but it did not recognize the principle of exterritoriality.[22]

For negotiating a treaty with Tunis, the fourth and last of the Barbary powers to enter into diplomatic

[21] Allen, 53–54, 61.

[22] For text of treaty see U. S. Stat. L., VIII, 154–156, or U. S. Treat. and Conv., II, 1785–1788; Allen, 60.

relations with the United States, Barlow employed Joseph Stephen Famin, a French merchant residing in Tunis and chargé d'affaires for the United States. The treaty with Tunis was concluded in August, 1797, at an estimated expense of $107,000, and was approved by Humphreys on November 14. Several of its articles were objected to by the Senate, and in 1799 a further negotiation took place resulting in their being altered. The treaty contained a shipwreck convention and a most-favored-nation clause, and recognized the principle of exterritoriality.[23]

In the first years of the nineteenth century when the navy's connection with Barbary begins, the United States had a treaty with each of the four states. To one state, Algiers, the government was obliged to send annually a tribute of maritime stores of the value of $21,600. To all the states, it gave presents in accordance with the prevailing customs followed by the European governments. Formally, the relations between the United States and the Barbary powers were settled and well defined; actually, they were far from being so. All the states were dissatisfied, were complaining of unfair treatment, and were ready when an occasion offered to break their treaties, prey upon American commerce, and make some new demand or exaction of the American consuls.

[23] Allen, 60–62. For text of treaty see U. S. Stat. L., VIII, 157–161, or U. S. Treat. and Conv., II, 1794–1800.

When in 1800 the U. S. S. "George Washington," Captain William Bainbridge, the first American ship of war to visit the Mediterranean, arrived at Algiers, with the annual tribute of maritime stores, she was forced by the dey, in spite of the protests of her commander, to make a voyage to Constantinople and to carry thither an Algerine ambassador and some valuable presents for the Sultan. In September, 1800, the brig "Catherine" of New York was captured by a Tripolitan cruiser. In February, 1801, the pasha of Tripoli repudiated the treaty of 1796, and in May declared war against the United States. James L. Cathcart, the American consul, was forced to leave the pasha's dominions. Anticipating some hostile action from Tripoli, and fearful lest Algiers and Tunis might attack our merchantmen, the government at Washington in the spring of 1801 fitted out a squadron of four ships for service in the Mediterranean. With the tour of duty of this squadron, the diplomatic negotiations of naval officers with the Barbary powers had their beginning.[24]

From 1801 to 1816 the relations between America and Barbary were much disturbed and with several of the states for long or short periods we were at war. During a considerable part of these years, from 1801 to 1806 and from 1815 to 1816, naval squadrons were maintained in the Mediterranean, and onerous and

[24] Allen, 75–76, 90–92.

diverse duties fell to their commanders-in-chief. In general these duties were either of a naval or diplomatic character. The naval duties consisted of the visiting of capitals with a view to overawing the rulers and governments of Barbary, the protecting of American commerce by convoying vessels and by other means, the blockading of the ports and coasts of the states with which we were at war, the attack of the enemy's strongholds, and the pursuit and capture of his vessels at sea. The diplomatic duties consisted of the appointment of consuls, the advising of diplomatic agents, the conducting of diplomatic correspondence, the carrying on of negotiations, and the making of treaties.

The principal ports of rendezvous of the fleet were Gibraltar, Malta, and Syracuse, all somewhat remote from the chief theaters of action. The great distance of the Mediterranean from the United States, the irregularity and infrequency of orders from the secretary of the navy, the uncertainty of the arrival of ships, the brief periods of their tours of duty owing to the necessity they were under to return home on the expiration of the terms of enlistment of their crews, all rendered difficult and complicated the duties of the commander-in-chief. Before the era of submarine cables, rapid communication, and wireless telegraphy, naval commanders and diplomatic agents assumed responsibility, exercised discretion, and decided

their own problems often without suggestion or interference from the government at Washington.

Among the officers of whose diplomatic achievements in the Mediterranean we shall give an account, are Richard Dale of Pennsylvania, Richard V. Morris of New York, Edward Preble of New Hampshire, Samuel Barron of Virginia, John Rodgers and Stephen Decatur of Maryland, and Isaac Chauncey of Connecticut. All of them entered the navy soon after it was founded in 1794, and all achieved the highest rank, that of commodore. Dale, Preble and Barron had seen naval service during the Revolution. Preble and Decatur were possibly the most brilliant officers of the navy during the first quarter of a century of its existence.

Commodore Dale, whose tour of duty in the Mediterranean covered the period 1801–1802, was chiefly occupied with naval duties. As he sailed from the United States before the news of Tripoli's declaration of war had arrived there, he was not authorized to conduct negotiations for peace. He was however intrusted with a letter from President Jefferson to the pasha and a present of ten thousand dollars, which were to be delivered if that ruler remained peaceful. Dale arrived off Tripoli on July 24, 1801, and, as war had been declared, he proceeded to blockade that port. On the following day he received a letter from Nicholas C. Nissen, the consul for Denmark, written at the

request of the pasha and asking if Dale's intentions were to make peace or war.[25] The commodore gives the following account of his reply and of the immediately succeeding events:—

"I wrote him that my intentions in the first instance were friendly, but the act of his excellency in declaring war against the United States, had put that disposition out of my power, and that I was determined to take his vessels of every description, and his subjects wherever I could find them; but at the same time I should be glad to know his reasons for declaring war, and on what principles he expected to make peace. That on those points I wished information as soon as possible, that I might inform the President of the United States, and ascertain his determination respecting the business. The next day the bey [pasha] sent off a Jew, to negotiate for a peace or truce. I informed him that his excellency had not answered my letter; that I was not empowered to make a new treaty, but if the bey [pasha] would answer my letter, and send off one of his officers, and was serious in the business, I would then treat with him about a truce. The Jew went on shore. I have not heard from him since. The bey [pasha] wrote me previous to this that he had good reasons for declaring war against the United States but if I would come on shore, he was very certain we should be able to make peace. He said he did not like the 1st and 12th articles in the old treaty, and did not wish to have anything to do with the dey of Algiers."[26]

[25] Wait's State Pap., IV, 376–383.

[26] Wait's State Pap., IV, 383–384.

Article 1 of the treaty of 1796 with Tripoli made the dey of Algiers the guarantor of peace between the United States and Tripoli, and article 12 made him the arbitrator of disputes over the provisions of the treaty. Evidently the pasha was jealous of his neighboring ruler. Dale's correspondence was barren of results, and he shortly sailed for Malta. On returning to Tripoli a few weeks later, he wrote to the pasha respecting the exchange of prisoners. The pasha again expressed his desire to make peace, and Dale again refused to negotiate on that subject, pleading his lack of authority. On effecting an exchange of prisoners, the commodore sailed from Tripoli, and his communications with the pasha came to an end. It was unfortunate that Dale was not empowered to negotiate for peace, although it is not probable that he and the pasha could have agreed on terms. The chief event of his cruise was the capture of the Tripolitan polacre "Paulina" by the U.S.S. "Enterprise." In March, 1802, he returned to the United States.[27]

Dale's successor in the Mediterranean was Commodore Richard V. Morris, a son of Lewis Morris, signer of the declaration of independence, and a nephew of Gouverneur Morris, the distinguished statesman and diplomat. He arrived at Gibraltar in May, 1802. Before sailing from the United States, he received detailed instructions from the secretary of the navy in

[27] Wait's State Pap., IV, 385–386.

respect to waging war with Tripoli.[28] On learning that Morocco was threatening war, the government at Washington became more peacefully inclined towards Tripoli, and the secretary of the navy gave Morris the following orders:—

"The President conceiving that the period has arrived when negotiations for peace with the Bashaw of Tripoli may be opened under circumstances which promise an advantageous issue, Mr. Cathcart, now at Leghorn, has been clothed with official authority to execute that trust. In pursuing his instructions and exercising his authority, he will communicate with you confidentially and unreservedly, and it is expected that you will cultivate the best understanding with him; communicate frequently and fully, and cheerfully cooperate with him in all points relating to his mission."[29]

Four months later the government at Washington greatly increased Morris's powers by giving him a "superintending agency" in all negotiations with the Barbary states. The secretary of the navy wrote to him as follows:—

"You will keep it in mind that it is the interest and desire of the United States to be at peace with all the world, and that it is expected of you, to contribute your utmost endeavors to effectuate without delay an honorable accommodation with Tripoli, Morocco, and any other of the Barbary Powers, with whom we may happen to be at war."[30]

[28] [R. V. Morris], Defence of the Conduct of Commodore Morris (1804), 15–17, 19–21.

[29] Morris, 33.

[30] Morris, 45.

Acting under these instructions Morris took on board his flagship James L. Cathcart, formerly American consul to Tripoli, and now joint agent to treat for peace, and assembled several ships of his squadron at Malta with a view to opening negotiations with the pasha. In February, 1803, he made an attempt to reach Tripoli, but heavy and long-continued gales forced him to return to Malta. He now decided to postpone his mission until a more favorable season. Cathcart however found means of communicating with Nissen, and through him with the pasha, who on learning Cathcart's terms rejected them. Precisely what these terms were is not known. On a previous occasion Cathcart had offered the pasha $40,000 for a ten months' truce, and $20,000 annually for a permanent peace.[31]

In May Morris made a second attempt to visit Tripoli, and this time succeeded. Having decided to frighten the pasha before offering him peace, he on May 26 engaged and defeated the Tripolitan gunboats. Three days later he opened negotiations. Preliminary arrangements were made by Nissen representing the pasha, and by Captain John Rodgers representing the commodore. On June 7 the commodore disembarked, and on the following day he held an interview with the pasha's trusty minister, Mahamed Dghies. The pasha boldly declared that he did not

[31] Morris, 31.

fear war, that it was his trade, and that he understood it "better than anybody." However, he said, if the United States wished peace, they might have it for two hundred thousand Spanish dollars and the expenses of the war. Morris offered him fifteen thousand dollars—five thousand dollars as a consular present, and ten thousand dollars at the end of five years if the treaty should be faithfully kept. The pasha's reply was an order for the commodore to depart at once, which he did.[32]

The rulers of Morocco, Tunis and Algiers also gave Morris considerable trouble. In June, 1802, the emperor of Morocco declared war against the United States. Successful negotiations with him for peace were conducted by James Simpson, the United States consul at Tangier. During the negotiations Morris remained conveniently near with his fleet in order to give Simpson the support of an armed force.[33]

The commodore visited Tunis in February, 1803, in response to a request of William Eaton, the American consul, and while there he had a serious altercation with the bey. His fleet consisted of several naval vessels and the polacre "Paulina," which had been captured by the U.S.S. "Enterprise." As a portion of the cargo of the "Paulina" was owned by a Tunisian, the bey of Tunis demanded the restoration of

[32] Goldsborough's Naval Chronicle, 203–204; Morris, 93.
[33] Morris, 32–38.

his subject's property, and he entered into a controversy over it with Morris, who, accompanied by Rodgers and Cathcart, went ashore to settle the dispute. At first Morris insisted that the cause of the prize should be tried at Gibraltar, but on the bey's threatening war he agreed that the question of the ownership of the cargo might be decided at Tunis. Having obtained one concession, the bey made a fresh demand. Finally the commodore lost his patience, and abruptly closed the contention. Without taking formal leave of the bey, he and his aides made arrangements to return to the fleet. While they were on their way to their boat at the wharf, they were overtaken by one of the bey's agents, who arrested Morris and refused to let him leave the city until he had paid a debt incurred by Eaton in behalf of the United States and in prosecution of a plan to set upon the throne of Tripoli the brother of the reigning pasha. This forcible detention was of course a breach of official hospitality and a gross insult to the American flag. In explanation of it, the bey's agent asserted that Eaton had given his word that the debt should be paid on the arrival of the fleet. Eaton, however, emphatically denied that he had made such a promise. Many palavers over this new subject of contention took place. Finally Morris agreed to pay and the bey agreed to accept twenty-two thousand dollars, about two-thirds of the whole claim; and the commodore was permitted to return to his

ship. Cathcart and Rodgers remained a few days longer on shore to complete the settlement of the difficulty. As Eaton was at swords' points with the bey, he also embarked, and Morris appointed Dr. George Davis of the navy to act as consul. This disgraceful episode came to an end on March 10 with the sailing of the squadron for Algiers. Morris always blamed Eaton for enticing him on shore and for the indignity that he suffered, but it must be said that he has not proved his charges against the consul.[34]

At this time the dey of Algiers had a grievance against President Jefferson, who sent him thirty thousand dollars as tribute instead of the naval stores called for by the treaty of 1795. The dey declined to accept the money in place of the stores, and at the same time refused to permit it to be returned to the President. Admonished by his experiences ashore at Tunis, Morris during a brief stay at Algiers remained on shipboard and tried to arrange matters through the American consul. He wrote to the dey that, if he preferred the stores to the money, the letter of the treaty would be complied with, observing however that since the money was "on the spot" it might be to his advantage to accept it. The dey replied that he preferred the stores and that he would keep the money until they arrived. He further exhibited his displeas-

[34] Morris, 72–86; Goldsborough, 203; Fed. Gaz. and Balt. Daily Advt., May 18, 1803, p. 3.

ure by declining to receive Cathcart, who had been appointed American consul to Algiers. The commodore departed without effecting an adjustment of the matters in controversy.[35]

Morris's negotiations and his cruises from one country to another left him but little time for warlike operations against Tripoli. His management of the squadron was unsatisfactory to the government at Washington and he was removed from his command in September, 1803. On his return home his conduct was inquired into by a court of enquiry which reported adversely to him, and President Jefferson, exercising an arbitrary power, unjustly dismissed him from the navy.[36]

Commodore John Rodgers, who succeeded Morris in command of the Mediterranean squadron, received orders early in the fall of 1803 to return home with his fleet. A new squadron under the command of Commodore Edward Preble was already on its way to the Mediterranean. On arriving at Gibraltar, Rodgers learned that the cruisers of the emperor of Morocco were preying upon American commerce, and he decided to communicate with the emperor and ascertain whether he preferred war or peace. Before Rodgers had taken steps to carry out his decision, Preble arrived at Gibraltar, and on conferring together the two

[35] Morris, 87–88.

[36] Morris, 9–13, 98; Goldsborough, 205–207.

commodores agreed that, since Rodgers was under orders to return home, Preble, although the junior officer, should have precedence in dealing with Morocco and that Rodgers should delay his departure and assist his junior.

About the middle of September, 1804, Preble, accompanied by Rodgers, visited Tangier with a view to ascertaining the disposition of the emperor. On learning that he was not at that city, but that he was expected there shortly, Preble decided not to wait for him, but to blockade the Moroccan coast during the interim; and he gave orders to his vessels accordingly. Early in October he returned to Tangier, moored his ships in battle array three hundred yards from the shore, and directed the decks to be cleared for action and the crews to sleep at their quarters. He planned however to try negotiation before resorting to hostilities. Preliminary negotiations were conducted by James Simpson, the American consul, and the Moroccan minister of state, but nothing was decided until the arrival of the emperor, who reached Tangier on October 6. After viewing Preble's warlike array of ships, the emperor made it clear that he preferred peace. He gave expression to his friendly feelings by sending Preble a present of cattle, sheep and fowl. He issued orders for the release of the Amerian brig "Hannah" which had been detained at one of his seaports, and he appointed a day for an audience with

Preble and Simpson. At the appointed time the audience was duly held and satisfactory terms were readily arranged. He agreed on his part to give up the American prisoners and property that had been captured by his vessels, and to reaffirm the treaty of 1786 made by his father with the United States. Preble and Simpson agreed on their part to surrender to him two prizes, the "Mirboka," a Moroccan ship captured by Bainbridge, and the "Meshuda," a Tripolitan cruiser claimed by the emperor. By a proper show of force Preble succeeded in making a satisfactory settlement with Morocco without the payment of a cent for tribute or presents. The conduct of Simpson, Preble and Rodgers was cordially approved by President Jefferson, and Congress indemnified the captors of the "Mirboka" and "Meshuda" by appropriating to them a sum of money equal to one-half the value of the prizes.[87]

[87] Preble Papers, Library of Congress, II, 24; XIV, 113–190; Log of John Adams, May–September, 1803; C. O. Paullin, Commodore John Rodgers, 112–113; National Intelligencer, Dec. 5, 1803; Am. State Pap., Nav. Aff., I, 115–117; III, 124; Richardson's Messages and Papers of the Presidents, I, 365.

CHAPTER III

Negotiations with Tripoli and Tunis, 1804–1805

The negotiations with the emperor of Morocco were a mere incident in Preble's work in the Mediterranean. He was sent out to bring the pasha of Tripoli to terms, and on closing the affair with the emperor, he immediately addressed himself to his more serious task. With Preble's warlike activities we are not here concerned, but a mention of some of them must be made since they greatly influenced his diplomatic negotiations. On October 31, 1803, one of the chief vessels of his fleet, the frigate "Philadelphia," Captain William Bainbridge, ran aground near Tripoli, was taken possession of by the Tripolitans, floated, and brought to Tripoli, together with her officers and crew, three hundred and seven in number. In February, 1804, she was burned in the night-time by a party of officers and seamen commanded by Lieutenant Stephen Decatur, under circumstances which make her destruction one of the most gallant exploits ever performed by our navy. After blockading Tripoli for several months, Preble in the latter part of July, 1804, brought a squadron of fifteen ships before the city and during the succeeding six weeks several times most effectively

attacked the enemy's gunboats and land defenses. In these operations he had fifty men killed and wounded, while the pasha lost a much larger number.

The capture of the "Philadelphia" and her officers and crew greatly strengthened the position of the Tripolitans in their war with the United States, and correspondingly weakened that of the commander-in-chief of the American squadron. Not only had he lost and the enemy gained a valuable frigate, but the enemy had obtained possession of more than three hundred Americans, not a few of them officers of the navy. In determining upon a course of action in respect to Tripoli, the commander-in-chief was compelled to consider its effect upon the prisoners, whom the pasha more than once threatened to kill. Their safety and welfare as well as the military advantage of Preble demanded their release.

Preble was willing to ransom them at a reasonable price, but he was determined not to pay the pasha a cent of tribute, and on this point he never wavered. The pasha was unwilling to separate the question of ransom from that of peace, and the two questions were therefore considered together. Provision for the needs of the prisoners, the exchanging of the prisoners for captured Tripolitans, and the exchanging of the "Philadelphia" for one of Preble's prizes were also subjects of negotiation. When Preble arrived in the Mediterranean he was not empowered to treat for

peace, as this duty had been intrusted to Tobias Lear, who in 1803 was appointed consul-general to Algiers and peace commissioner to Tripoli. Since Lear's duties as consul-general required his presence at Algiers, he on March 23, 1804, delegated his powers to treat for peace to the commander-in-chief of the squadron.[1]

Preble began his negotiations in January and continued them intermittently until September, 1804. During the early part of this period he was at Malta, two hundred and fifty miles from Tripoli. Occasionally however he visited his vessels employed on blockade duty off the Tripolitan capital, and in August and early September he was engaged in bombarding the capital. As intermediaries in the negotiations, he made use of the Tripolitan agent at Malta, of Bainbridge, and of M. Beaussier, the representative of France at Tripoli.

Preble opened negotiations on January 4, 1804, on which date he wrote from Malta to Dghies, the pasha's prime minister, at Tripoli, sounding him on the subject of the ransom of the officers and crew of the "Philadelphia" and proposing to exchange sixty Americans for sixty Tripolitans. The letter was not received until about the time of the burning of the "Philadelphia," a disaster that greatly angered the pasha. Reflecting the mood of his master, Dghies re-

[1] Preble Papers, XII, 185.

fused even to discuss the questions of ransom and the exchange of prisoners.[2]

In January Preble had several interviews with the Tripolitan agent at Malta, who proved to be quite reasonable in his expectations. The agent first proposed to accept peace on the following terms: the exchange of the "Philadelphia" for a schooner, the ransom of her officers and crew at the rate of five hundred dollars a man, and the payment of an annual tribute similar to that paid by Sweden and Denmark. After a discussion of his terms, he agreed to forego his demand for tribute, and to make an even exchange of sixty Tripolitans for sixty Americans, thus reducing the total ransom to about $120,000. He had another proposition in respect to a ten years' truce, which Preble refused to consider. Respecting his proposal to grant peace without tribute and on the payment of $120,000 as a ransom, Preble was favorably disposed, and he wrote to Lear for an opinion regarding it. Lear replied that the terms were better than the government at Washington had expected, and that they should be accepted. If in the end however it should be found necessary to go a little higher, he authorized the payment of a small consular present and six hundred dollars a piece for the prisoners. Before Preble received Lear's reply, the negotiations had been complicated by the burning of the "Phil-

[2] Preble Papers, XII, 25, 170, 173.

adelphia," and they were following a different channel.[3]

Neither the British nor the Danish consul at Tripoli were at this time available as intermediaries. On January 16 Preble wrote to Brian McDonogh, the British consul, asking him to ascertain the pasha's demand in respect to ransom. McDonogh replied that he thought it prudent to remain quiet until the pasha's anger over the destruction of the "Philadelphia" had abated. In February Nissen wrote that he could no longer serve the Americans since the new treaty between Denmark and Tripoli confined his duties to the affairs of his own country.[4]

In the meantime a new channel of communication had opened. On January 2, 1804, our minister at Paris, Robert R. Livingston, wrote to Talleyrand, minister of exterior relations of the French Republic, requesting the First Consul of the republic, Napoleon Bonaparte, to interpose his good offices with the pasha for procuring the release of the imprisoned officers and crew of the "Philadelphia" and for the establishment of peace between the United States and Tripoli. "I afford him" [Napoleon], wrote Livingston, "a new means of extending to a distant world that species of Glory, which is, I am satisfied, dearest to his heart."[5] Napoleon was absent from

[3] Preble Papers, XII, 184–185.
[4] Preble Papers, XII, 45, 141, 189.
[5] Preble Papers, XII, 148–149.

Paris when the letter of Livingston was received. Immediately on his return Talleyrand brought it to his attention, with a result favorable to the United States, as may be seen from the following extract of a letter of Talleyrand to Livingston. The whole letter is an excellent illustration of the polish, flattery and cynicism that characterized French diplomatic writing at this period.

"He was much hurt at the loss the United States have experienced in the roads of Tripoli. He has not examined whether (according to your Excellency's remark) it particularly regards the states he governs that peace should reign between the regencies of Africa and the United States. But although himself is engaged in a war that the ambition and disloyalty of our enemies has rendered inevitable and necessary, that which the United States have to support has more than once excited his solicitude. His greatest pleasure would be to be able to effect or preserve the blessings of peace in all civilized parts of the world. He holds a sincere attachment to the people and government of America, depending on a just return on their part. In short his natural feelings excite compassion for the misfortune of your countrymen, whom destiny and not want of courage has deprived of their liberty, but not honor.

"With these sentiments, sir, he has requested me to order the Commissary General of the Republic at Tripoli to put all in order to alleviate the situation of the American prisoners and even obtain their deliverance; at the same time he will make known to

the Bashaw the ardent desire of the First Consul that a peace solid and advantageous to both parties may shortly put an end to the war which divides them."[6]

Livingston considered the mediation of the First Consul of sufficient importance to justify his sending to Preble a dispatch vessel with Talleyrand's orders to the commissary general and with instructions to deliver them at Tripoli. Late in March Preble arrived off Tripoli, and, under the protection of the white flag, communicated with Beaussier, the French commissary general. At a conference on board Preble's ship, Beaussier promised to do all in his power to effect the release of the American prisoners. On his return ashore he had an interview with the pasha, whom he reported unyielding in respect to all matters in dispute. He said that ransom and peace would cost at least $500,000.[7] The Tripolitan agent at Malta had offered more favorable terms in January than Beaussier reported in March. Possibly the anger and mortification of the pasha over the burning of the "Philadelphia" caused him to increase his demands. Preble was of the opinion that it was to the advantage of France for the war with Tripoli to continue, and that Beaussier was no friend of America, but was working in the interest of Tripoli. Under this conviction, he decided to employ a dip-

[6] Preble Papers, XII, 151–152.
[7] Preble Papers, XII, 169, 204, 253.

lomatic agent whom he could trust, and he chose Richard O'Brien, formerly American consul to Algiers, to act in that capacity.

In June he returned to Tripoli with O'Brien, resolved to make one more attempt to settle the differences by negotiation. He instructed O'Brien to offer for the prisoners $40,000 to the pasha and $10,000 to the prime minister and other high officials who should assist in the negotiations; and for peace a consular present of $10,000 to be paid every ten years; but not one cent for tribute. This was Preble's first statement of his terms, and they were far below those that Lear authorized him to make—$180,000 for ransom and a small consular present. He was confident that the pasha would accept Lear's terms, but he was determined not to offer them, since their acceptance would stimulate the avarice of the other Barbary powers and lead them to break their treaties in hope of receiving a similar return.[8]

Before leaving Tripoli Preble authorized Bainbridge to continue the negotiations and renew O'Brien's offer. The pasha however refused to treat with Bainbridge, on the ground that he was a prisoner, and was not commissioned by his government to act as its diplomatic agent. The pasha declared that he would never accept Preble's offer of $50,000, since Holland had lately given $80,000 and Denmark $40,000 for

[8] Preble Papers, XIII, 81–83.

the friendship of Tripoli, and neither had a single prisoner to ransom, while the United States had three hundred.[9]

Preble did not conceal his opinion that he was not being well served by the French commissary general. In June when he was off Tripoli he wrote that official a stinging letter in criticism of his failure to exert himself in behalf of America. The following is an extract from it:

"I am honored with your letters of the 28th March and 24th of May, which were received but a few days since, otherwise I should have replied to them sooner. I shall immediately send copies of them to our government and to our minister at Paris, in order that they may be acquainted that the intervention of the First Consul is not likely to have the effect which I believe they might have expected. I cannot but suppose the First Consul will feel somewhat mortified that through his influence you have not been able even to obtain permission to land the necessary clothing and provisions which the American prisoners are suffering for want of. It is probable the First Consul expected his mediation would have had more weight with the Bashaw of Tripoly than it appears to have had."[10]

Beaussier at once denied Preble's accusation, using the following language: "I have fulfilled with all the zeal and intelligence of which I was capable the com-

[9] Preble Papers, XIII, 46, 110–111.
[10] Preble Papers, XIII, 35–36.

mission that had been confided to me. I have not committed the name of the First Consul or the dignity of my government as you appear to believe."[11] He accused Preble of defeating the negotiations by his long absence from Tripoli and by his "truly ridiculous" offer made through O'Brien. He said:

"I confess to you commodore that it was not decent my soliciting the good offices of the First Consul when the intention was to propose so insignificant a sum as 40,000 dollars for the ransom of 300 prisoners and the conclusion of peace. . . . I had disposed the regency to listen to reasonable terms of peace, and to soften the fate of the prisoners, which daily receives alleviation; this was my mission; but the pasha naturally felt himself offended at an offer worse than that made by Commodore Morris at an epoch when none of your countrymen were deprived of their liberty. Without doubt you are not ignorant, commodore, that the ransom of a single cabin boy is four to five hundred dollars and that Mr. Cathcart proposed three years ago at the time of the declaration of war the same sum of 40,000 dollars only to suspend hostilities ten months."[12]

It may be seen from these extracts that Beaussier was inclined to argue the pasha's case, and to approach the subject from the point of view of past negotiations. Preble felt that the presence of a strong squadron in the Mediterranean greatly altered mat-

[11] Preble Papers, XIII, 112.
[12] Preble Papers, XIII, 113.

ters. Although suspicious of Beaussier, he again employed him as an intermediary.

On August 4, the day after Preble made his first attack on Tripoli, he wrote to Beaussier that his former terms—$40,000 as a ransom, $10,000 as a consular present, and $10,000 as a present to high officials—were still open to the pasha, but on the arrival of an additional force of four frigates, momentarily expected, he would never consent to pay a cent. Two days later Beaussier replied that he had had an interview with the pasha, who declared that he ardently desired to be at peace with the Americans, but that he never would conclude a peace on the "dishonorable conditions" that had been proposed. Beaussier urged the commodore to increase his offer.

On the 7th the second attack of Tripoli took place, and on the same day Preble received word that Commodore Samuel Barron had been dispatched to the Mediterranean with a new squadron and that Barron would supersede him in command. This news doubtless made Preble all the more anxious to bring the war to a close. On the 9th he replied to Beaussier's letter of the 6th and now for the first time raised his offer. He agreed to give $80,000 as a ransom and $10,000 as a consular present, but nothing as tribute. He declared that he never would transcend this offer, and that after the arrival of the expected frigates he would give nothing either for ransom or peace. The

pasha met this with an offer to take $150,000, and Beaussier urged the commodore to accept this sum, saying it was not exorbitant and would not fail to meet with the approval of the American government. Preble now made a final offer of $100,000 for ransom, $10,000 as a present to the prime minister, and $10,000 as a consular present. The pasha refused these terms, and Preble declined to give an additional cent, notwithstanding Lear had empowered him to go as high as $180,000, that is $30,000 more than the pasha had offered to take. The difference between the contracting parties was only $50,000. This however was sufficient to prevent the reaching of an agreement, as Preble now broke off the negotiations and did not renew them.[13]

Late in August he wrote to Beaussier asking him to use his influence to establish a cartel for the exchange of prisoners. Beaussier had an audience with the pasha, who refused to consider the subject of a cartel, but who stated that his demand for ransom was now $400,000. After making a fifth and last attack on Tripoli Preble on September 10 turned over his command to Commodore Samuel Barron.[14]

Barron arrived so late on the station that he was unable to do more during 1804 than to blockade Tripoli for a few weeks before going into winter quarters.

[13] Preble Papers, XIII, 121–136.
[14] Preble Papers, XIII, 177–186.

He became ill soon after he reached the Mediterranean and was compelled to rely on his second in command, Commodore John Rodgers, for active duty before Tripoli. In the spring of 1805 Rodgers took charge of the blockade, while Barron, who was at Malta, perfected arrangements for laying his whole squadron before Tripoli, with a view to reducing the pasha's defenses.

A new factor, which now entered into the military situation, and which greatly strengthened the position of the Americans, requires a word of explanation. As a passenger on board the "President" with Commodore Barron, there returned to the Mediterranean in the summer of 1804 William Eaton, formerly a captain in the United States army, later consul to Tunis, and now navy agent to the Barbary regencies. This erratic genius was authorized by Jefferson to undertake an expedition designed to place upon the throne of Tripoli Hamet Karamanli, an older brother of the reigning pasha, and by descent the rightful ruler of the nation. Hamet, it was said, was willing to make a most favorable treaty of peace with us, and his friends and allies would aid us in reducing the pasha's capital. The first step in this ambitious undertaking was to find Hamet, who had sought refuge in Egypt. In November, 1804, Eaton was conveyed to Alexandria by Lieutenant Isaac Hull in the "Argus." He finally found the refugee some hun-

dreds of miles up the Nile among the Mamelukes, and returned with him to the coast. Forty miles to the westward of Alexandria Eaton collected an "army," consisting of about four hundred men, one hundred and five camels, a few asses, and a quantity of military stores. It contained ten Americans: General William Eaton, commander-in-chief; Lieutenant P. N. O'Bannon, of the marine corps; Midshipman P. P. Peck; a non-commissioned officer; and six marines. In Eaton's motley troop there were twenty-five cannoneers of various nationalities, with three officers; thirty-eight Greeks, with two officers; Hamet and his suite of about ninety men; a party of Arabian cavalry; and several footmen and camel-drivers.

On March 8, 1805, the army began its march across the Libyan desert to the port of Derne, distant some six hundred miles. This town, the second largest in Tripoli, was the capital of an extensive province. All the genius, resource, and valor of the general were needed to bring to a successful conclusion his daring venture. After encountering many obstacles and undergoing great privations and dangers he brought his army, now re-enforced by a rabble of Arabs, before Derne, which place, with the aid of the "Argus," "Nautilus," and "Hornet," he captured on April 27. Here for several days his position was exceedingly precarious. He succeeded, however, in defeating the forces of the pasha that were sent against him, and in

strengthening his army; and he felt confident that by the aid of the fleet he could continue his march westward to the capital, some seven hundred miles distant, and capture it. His plans, however, seem chimerical in view of the long march across the desert, the exhaustion of his resources, the timidity and irresolution of Hamet, and the poverty and small number of the exiled pasha's followers. It is not clear how the general could do more than hold Derne.[15]

In the spring of 1805 Lear, who was empowered to treat for peace, was at Malta with Barron, and the two were acting in cooperation. In the latter part of April he received through the Spanish consul at Tripoli an offer from the pasha of peace for $200,000. Both Lear and Barron regarded this as inadmissible and refused to consider it. About the same time Barron received letters from Bainbridge and the Danish consul recommending negotiations and stating that the pasha was desirous of peace. Bainbridge was of the opinion that $120,000 would be sufficient. Early in May both Barron and Lear were resolved to continue the war and not to accept the pasha's overtures. Within a few days, however, for reasons that are not clear, they changed front, gave up the plan to lay the squadron off Tripoli and bombard its defenses, and decided to begin negotiations. The fact that

[15] Wait's State Pap., V, 159–203, 392–450; Charles Prentiss, Life of William Eaton, 259–392.

Barron's ill health forced him to turn over the command of the squadron to Rodgers doubtless lessened his interest in the war and increased his desire for peace.[16]

On May 24, 1805, the frigate "Essex," Captain James Barron, with Peace Commissioner Lear as a passenger, sailed from Malta for Tripoli, where she arrived on the 26th. At 10 o'clock a. m. of that day Barron and Lear went aboard the frigate "Constitution" and notified her commander, Captain John Rodgers, that Commodore Samuel Barron had relinquished his office as commander-in-chief of the Mediterranean station and had authorized the beginning of negotiations for peace with the pasha. Rodgers at once assumed his new command, with the "Constitution" as his flagship. Captain Barron, Lear and the new commander-in-chief then went aboard the "Essex" and stood towards the town, hoisting a flag of truce, which was answered by a similar flag from the pasha's castle. Soon a boat containing the Spanish consul and an officer of the pasha came off and boarded the "Essex." Negotiations for peace were at once begun. In the initial conference the pasha was represented by the Spanish consul; but, on Lear's objecting to him, the Danish consul, Nicholas C. Nissen, a good friend of the Americans, took his place.

[16] Am. State Pap., For. Rel., II, 704–713; Paullin's Rodgers, 130–135.

Humiliated by the successes of the navy and alarmed by the movements of Eaton, the Tripolitan ruler was disposed to end the war. He acknowledged that he was defeated and that the squadron then in the Mediterranean was sufficient to reduce his capital. He declared, however, that should his enemy drive him to the last extremity he would retire from his capital with the officers and crew of the "Philadelphia" to a castle in the interior of his dominions which he had prepared for them.

On opening negotiations Lear informed the Spanish consul that the pasha's offer of $200,000 for peace and ransom was "totally out of the question," and must be relinquished before he would "move a step in the business." The pasha at once gave up his demand for a payment for peace and reduced his requirements for ransom to $130,000. Lear now stated his ultimatum: an exchange of prisoners man for man, and $60,000 for the balance in the hands of the pasha. To these terms the pasha agreed, and a treaty was drawn up; and on June 4 it was signed by the contracting parties. It provided for a "firm, inviolable and universal" peace between the two countries, for the evacuation of Derne by Eaton, and for the right of each nation to establish consuls in the other. It contained a shipwreck convention and a most-favored-nation clause, and it established a scale of exchange of prisoners to be applicable in future wars. The

United States agreed to persuade Hamet to withdraw from the territory of the pasha and the pasha agreed to deliver to him his wife and children as soon as he withdrew.[17]

While Lear's treaty was an honorable one and was satisfactory to the government at Washington, his agreement to pay a ransom was criticized by the opponents of the administration.[18] It has always been a question whether in the long run the interests of the United States would not have been better served by continuing the war until Tripoli was reduced. Such a course however might have cost the lives of the American prisoners in Tripoli. If a ransom were to be paid, the terms obtained by Lear must be considered reasonable. Preble had offered $40,000 more. It has been said that Lear's treaty awakened the conscience of Europe.

"From the day that it was signed the power of the Barbary corsairs began to wane. The older countries saw their duty more clearly, and ceased to legalize robbery on the high seas. To America the success gave an immediate position which could not easily have been gained in any other way, and, apart from its moral results, the contest with Tripoli was the most potent factor in consolidating the navy of the United States."[19]

[17] Wait's State Pap., V, 195–196, 429–450; Rodgers Papers, Reply to Eaton, undated; U. S. Stat. L., VIII, 214–218; Am State Pap., For. Rel., II, 713–719.

[18] Allen's Our Navy and the Barbary Corsairs, 263.

[19] Lane-Poole's Story of the Barbary Corsairs, 291.

Commodore Rodgers doubtless aided the peace commissioner with his counsel. Although he supported the treaty he was not wholly satisfied with it. His views and wishes at this time are disclosed by the following words of Lear written on June 3:—

"This, I believe, is the first instance where peace has been concluded by any of the Barbary states on board a ship-of-war. I must pay a tribute to Commodore Rodgers whose conduct during the negotiation on board was mixed with that manly firmness and evident wish to continue the war if it could be done with propriety, while he displayed the magnanimity of an American in declaring that we fought not for conquest, but to maintain our just rights and national dignity."

* * * * * *

"You will pardon me if I here introduce a circumstance evincive of the spirit of our countrymen. At breakfast this morning Commodore Rodgers observed that, if the pasha would consent to deliver up our countrymen without making peace, he would engage to give him two hundred thousand dollars instead of sixty thousand, and raise the difference between the two sums from the officers of the navy, who, he was perfectly assured, would contribute to it with the highest satisfaction."[20]

On the evening of June 3 Commodore Rodgers and Colonel Lear went ashore to visit the officers of the "Philadelphia" and congratulate them on their liberation. On the next day a symbol of the restoration of

[20] Am. State Pap., For. Rel., II, 718.

peace was displayed at the American consulate, where a little more than four years before the flagstaff had been cut down, by raising a new flagstaff and again hoisting the American flag. Dr. John Ridgely, the surgeon of the "Philadelphia," was appointed chargé d'affaires. The American prisoners, after a captivity of nineteen months, were released and sent aboard the ships of the squadron.[21]

While the negotiations with Tripoli were under way Rodgers decided that, if they resulted in the concluding of peace, he would make an expedition to Tunis, with the ruler of which state he had been having trouble.[22] Accordingly on August 1 he anchored his fleet before the bey's capital.

The bey of Tunis at this time was Hamuda Pasha, a most interesting character. During his long rule, which began in 1782, he had been frequently at war with the neighboring powers. Like other Barbary potentates in his pride, cruelty, ignorance, religious fanaticism and love of pomp, he was nevertheless in many respects far superior to the generality of them. He had a quick understanding and was able to pursue a course of action with firmness and decision. At times rash and foolish, he was more often prudent and circumspect. One of our consuls said that the

[21] Wait's State Pap., V, 431–432, 446–447.

[22] For negotiations with Tunis, see especially Rodgers Letter-Book, U. S. Navy Dept. Arch., 1805–1806, 1–106, 43–121, and C. W. Goldsborough's Naval Chronicle, 279–287.

bey was as ignorant as the figure-head of the "Constitution" in respect to letters or the political history or situation of any country on earth beyond the bounds of his horizon and that he had no knowledge of the strength, wealth and size of the United States. "I do not esteem him a man of duplicity," the consul wrote, "although there is a great deal of what might be styled finesse and court intrigue in him, joined with a degree of candor and simplicity which in my estimation form a strange or rather curious accommodation in his character. It would require a sorcerer to find him out and the Witch of Endor to render him a reason."

In 1797 Hamuda entered into a treaty with the United States, but he soon became dissatisfied with it and began to make unreasonable demands of our consuls for tribute. At times he would threaten war, first blowing hot and then cold. Sympathizing with the pasha in his difficulties with our government, the bey viewed with alarm the increase of the American squadron in the Mediterranean and its probable reduction of Tripoli. He refused to recognize Tripoli as a blockaded port, and claimed that it was open to his vessels. He demanded as a right the release of a certain Tunisian xebec and her two prizes that were captured in April, 1805, by our forces, when they were trying to run the blockade; and he charged our consul at Tunis to tell the American commander-in-chief that

the bey would "never cease from his demands whatever the issue." Rodgers wrote to Hamuda that his claims respecting the ships were "wholly inadmissible," and that he intended to convince him that his subjects would be no longer permitted to "infringe our rights with impunity." The bey well deserved the chastisement that Rodgers was anxious to administer to him. The peace with Tripoli and the presence of a large fleet in the Mediterranean made it possible for the commodore to take a bold and independent stand.[23]

Soon after his arrival in Tunis bay, Rodgers sent the schooner "Nautilus" to the city to bring off the American consul, Dr. George Davis, who, on August 2, came aboard the flagship and gave a complete account of all his conferences with Hamuda. In conversation with Davis the bey had recently assumed a most menacing tone. He said:—

"The President of the United States must know that my father and grandfather have sat on the throne and ruled a kingdom. He shall learn from me that Hamouda is not yet dead, and every crowned head of Europe shall approve the eternal continuance of that war which you seem resolved to force me into; for I solemnly pledge myself that, if war is the result, never while I have a soldier to fire a gun will I accord peace. You may form some idea of my character from the difficulty you had to negotiate a peace

[23] Goldsborough's Nav. Chron., 278–280; Rodgers Letter-Book, 1–22.

because you weakly permitted the bey of Algiers to interfere. You may also learn my conduct to the Venetians, who rashly forced me into a war; and if I am doomed to engage in another, it shall be continued to the last hour of my existence. I frankly tell you that the famine in my country has prevented my declaring war against you, in order that I might convince my subjects that their miseries should not be increased unless I was forced thereto. Without such a motive you certainly never would have been asked the reason why you captured my vessels, but that a just motive to a protraction of our difficulties must be sacrificed to those considerations which I owe myself and all Europe. You are the first power which has ever captured a Tunisian cruiser in full peace on any pretext whatever. You are the first that has ever offered unprovoked insults to Hamouda Bashaw, who has ruled a kingdom for twenty-seven years and been respected by all the world as a sovereign. If I was tamely to submit to such acts of outrage, what should I expect from nations far more powerful than yourselves?"[24]

After conferring with Davis the commodore summoned Colonel Lear and the senior commanders of the squadron to a council of war on board the "Constitution," and submitted to them all the information respecting the conduct of the bey that he possessed. The council of war decided that the commodore should send to the bey the following spirited ultimatum:—

[24] Goldsborough's Nav. Chron., 280–281.

"It is with equal pain and astonishment that I was yesterday made acquainted by George Davis, Esq., chargé d'affaires to your court, with your declaration wherein you informed him that my appearance here with the squadron under my command would not only be blocking up every avenue to a reconciliation, but would determine an immediate declaration of war on your part. If this be the case, those explanations which brought me here, and which I had hoped would re-establish a good understanding between your excellency and the government of my country, are unnecessary, as it now only rests for me in justification of my conduct to request that your excellency will have the goodness to inform me whether there has been any mistake in the application of your assertion tending to a declaration of war with the United States; as your excellency will without doubt see the propriety, as also the necessity, on my part of commencing both defensive and offensive operations against your regency in the course of thirty-six hours, should I not hear from you on this important and equally (to me) painful subject."[25]

Rodgers considered the language of the bey highly insulting to our government. He said:—

"Indeed, so much so as ought in my humble opinion to have induced Mr. Davis (particularly as he knew the force we had near at hand, and being previously informed of my intentions) to have taken his leave. This would have given me an opportunity to have assumed entirely a different posture. . . . War

[25] Rodgers Letter-Book, 43; Goldsborough's Nav. Chron., 281–282.

was the interest of the United States, and had Mr. Davis have left the regency at a moment when such violent threats and gross insult were offered, I should have had a fair pretext for discussing the subject by the language of our cannon—the only language capable of making an imperious Barbary pirate correct his conduct. . . . Until the day of my death I shall lament that our affairs were now at a point which required decisive measures, yet nevertheless it required the authority of government to authorize my drawing the sword of the nation in defence of its honor and interest at a moment when I knew our force was sufficient, in ten days, to have made him call for mercy on his bended knees."[26]

With Rodgers's letter, dated August 2 (and also with one written by Lear of the same date) Davis repaired to the royal palace. On receiving it, the bey explained that neither he nor his Christian secretaries understood English; whereupon, Davis volunteered to give him its substance, which he proceeded to do. Hamuda replied at once. While his words were free from menace, they were nevertheless strong and bold. Skilled in the tactics of diplomacy, he chose his position with excellent judgment. He said:—

"The commodore stipulates thirty-six hours for my answer. If he will have it in the Turkish or Moorish language, it shall be given immediately; but there is no Christian clerk at this time to write him. I, however, will give you my answer by word of

[26] Rodgers Letter-Book, 99–101.

mouth and beg you to communicate it. My conduct shall be guided wholly by the letter and spirit of the treaty; and I have already taken the measures which it points out, to wit, a proper representation to the President of the United States for redress of grievances. Until an answer is received from him, I shall strictly maintain the peace which exists between us; but, if your commodore attacks or detains any of my vessels, cruisers, or merchantmen, or fires a single gun with a hostile intention, that instant your flag shall be hauled down. I will hold no converse with him, either relative to peace or war, change of treaties, or any other public concerns, excepting on the subject of the captured vessels. No hostile act shall be commenced by me. His boats may pass freely and without any kind of interruption. It, therefore, rests with him to respect the treaty made by his master, or not; for although I am resolved not to provoke a commencement of hostilities, still I shall not shrink from it when properly invited. I made the treaty with the President of the United States, and not with the commodore."[27]

On the receipt of Hamuda's reply, Rodgers called another council of war. It took the position that the bey's language expressed his desire to avoid hostilities. It decided, however, that his word alone was not sufficient, and that he should be required to give a written guarantee of his intentions to maintain peace, duly witnessed by the British and French consuls. On August 4, the commodore gave instructions

[27] Rodgers Letter-Book, 25–27.

to Davis in accordance with the council of war's decision. In case the bey refused to give the guarantee, the consul was to inform him that his capital was to be blockaded and his cruisers prevented from injuring American commerce until the commander-in-chief should receive instructions from Washington. After Davis had gone ashore Rodgers decided to be more specific in his demands. He, therefore, prescribed the following form of guarantee and gave the bey three days within which to sign it:

"Whereas the commander-in-chief of the squadron of the United States of America now lying in Tunis bay had been induced to believe that it was my determination to declare war against the said United States in consequence of one of my cruisers and her two prizes having been detained by the aforesaid squadron in their attempting to enter Tripoli during the late blockade of that place, or some other cause, I do hereby solemnly declare that it is not my intention and that I will not commence hostilities or declare war against the said United States so long as the treaty existing between my self and the said United States shall be faithfully adhered to by them, and not until I shall have made an application to the government of the United States for redress of any injuries which I may receive or have received from the said United States and have been refused such redress."[28]

Captain Stephen Decatur was chosen to carry the guarantee to Davis, and he was instructed to be pres-

[28] Rodgers Letter-Book, 47–48.

ent as Rodgers's representative when it was presented to the bey.

In the meantime the bey had read the letters of Rodgers and Lear of August 2. From the communication of the consul-general he learned that Lear was empowered by his government to treat with him. For this, or some other reason, his replies were quite conciliatory, and in marked contrast with his verbal answer to Davis. He now assumed that the visit of the squadron to his capital was a friendly one, and was designed to adjust harmoniously the existing differences between the two governments. His letter to Rodgers, dated August 5, read as follows:—

"In answer to your letter, dated 2d of August, which I received the day before yesterday, I declare it was never my intention to refuse seeing or treating with you any time you presented yourself in a friendly manner, that is with only a part of your squadron, as I have always had the pleasure of seeing done by commanders sent by other powers, my friends. But it is certain that I have positively declared to the person charged with the affairs of your government, residing here, that I did not know how to tolerate your presenting yourself in a hostile and powerful manner, as you now have done with all the force under your command, when there was no reason for so doing, except that of a friendly treaty to be decided on; for it is by explanation and clearness of different points that the consolations of good harmony, which happily subsist between your government and me, are to exist

and more and more augment. This, for my part, I have always maintained and will maintain, according to the tenor of the stipulated and solemn ratification of our treaty. But I am now informed that Consul-General Lear is invested with the power to make with me a final treaty; in consequence of which I invite him to come in person in the character which is conferred on him by the President, that he may explain to me the desires of the same. With pleasure I declare if you find it proper to accompany him you will be very welcome, and would give me a particular pleasure. In the meantime I have the pleasure of wishing you all happiness."[29]

On August 7 Davis returned to the "Constitution" without having procured the bey's signature to the written guarantee. The bey had declined to receive Captain Decatur as Rodgers's official representative, and the captain had in a most spirited manner refused to visit him in any other capacity and had at once returned to the flagship. This action greatly alarmed the bey who sent a messenger post-haste to Lear with a most conciliatory letter. He declared that he wished to see the consul-general and speak with him and listen to his explanations. "Be so good," he wrote in conclusion, "as to make my compliments to Commodore Rodgers and inform him that I also wrote to him the day before yesterday and

[29] Goldsborough's Nav. Chron., 282–283; Rodgers Letter-Book, 31–33.

have no doubt but that the messenger has consigned to him my answer."[30]

The commodore decided to insist on the signing of the guarantee. Accordingly on August 8 he gave Davis the following instructions:—

"As I have not received that satisfaction from His Excellency, the Bey of Tunis, which the nature of our affairs required, I now am induced to desire that in case he does not give you the guarantee by to-morrow at noon which you have been directed to demand, you inform him that no farther advances will be made by me, and that in consequence of his refusal you are directed to repair on board the squadron to-morrow by 4 o'clock p. m."[31]

Davis went again to the palace and presented the guarantee to Hamuda, who refused to sign it in the presence of the British and French consuls, declaring that his seal was sufficient authentication. Our consul thereupon took final leave of the bey, collected his baggage, and, accompanied by his secretary and dragoman, went on board the flagship. Rodgers wrote:—

"It was now that I saw our situation was such as to require the most decisive measures, at least to a certain extent; and this I was enabled to express by a brig (whose colors I could not distinguish, but believe that they were Rigutian) that got underweigh, which I fired two shots at, conceiving at the time that she had been ordered to get under sail in order

[30] Rodgers Letter-Book, 38.

[31] Rodgers Letter-Book, 48–49.

to prove whether I would verify my last declaration, of which Mr. Davis was the medium of conveyance and which produced the cessation of his functions. . . . I now ordered the 'Nautilus,' Captain Dent, to get underweigh and lay off the entrance of the bay and to board all vessels going out, and if they belonged to Tunis and were armed in any shape, to send them into port again; and all ships coming in, and if belonging to Tunis to ascertain whether they had committed any depredations on our commerce, previous to suffering them to pass, and, at any rate, if Tunisian cruisers, to oblige them to return into this port. On the morning of the 10th of August the 'Vixen,' Captain Cox, and 'Enterprise,' Captain Robinson, were directed to get underweigh and cruise at the entrance of the bay under the same orders which Captain Dent had received the preceding day. At noon, about two hours after the sailing of the two latter vessels, the Bey sent by express letter 'L' directed to Colonel Lear, and by which you will discover the panic that had taken possession of his royal breast."[32]

The communication of the bey to which Rodgers refers is a lengthy one, and is dated August 9. In this the bey declared that some misunderstanding of his intentions or his language must certainly have arisen. He reiterated his sentiments of peace and friendship, and insisted that he had kept his treaty with the United States. He said that he was quite willing to negotiate with Lear. Most important of all were his concluding words, for they formed the grounds of a compromise:—

[32] Rodgers Letter-Book, 103–104.

"More again to convince you of my peaceable intentions and good friendship and also the esteem I have for the President, whatever may be your intentions or that of the commodore no more to treat with me until new orders are received. After what has happened, I propose to you to send a person of distinction of my regency to your government to explain and accommodate, which will accelerate the final depending between us. If the commodore will receive him on board his or any other vessel of the squadron, on his advisal he shall be immediately sent; but if not, I will dispatch him in a vessel chartered by myself for that purpose."[33]

Rodgers now decided to waive the guarantee and to begin negotiations. On August 12 Consul-General Lear accompanied by Chaplain Cruize of the "Constellation," went ashore; and on the two succeeding days he held conferences with the bey, in which the differences between the two governments were thoroughly considered. At one time during the negotiations Hamuda was disposed to withdraw his proposal in respect to the sending of an ambassador to the United States. Believing that the wily ruler was equivocating, Rodgers wrote to Lear that Hamuda must do one of three things by simple request, or else do all three by force:—

"He must give the guarantee already required; or he must give security for peace and send a minister to the United States; or he must make such altera-

[33] Rodgers Letter-Book, 48–49.

tions in the treaty as you may require, and as may satisfy you that there is confidence to be placed in what he does. I have only to repeat that, if he does not do all that is necessary and proper, at the risk of my conduct being disapproved by my country he shall feel the vengeance of the squadron now in this bay."[34]

The agreement reached by Lear and Hamuda was in conformity with the commodore's second demand. The bey agreed to send an ambassador to Washington to adjust there all differences between the two governments, and to give the commodore assurance that he would maintain peace agreeable to the treaty of 1797. On August 14 he wrote Rodgers the following conciliatory letter:—

"Leaving to Consul-General Lear the care of informing you how long and friendly were our conferences of yesterday and to-day, I limit myself by the present to confirm in the most solemn manner that which I have wrote to you, and the same to Consul-General Lear, assuring you that it was never my intention to declare war against your nation nor to begin any hostilities if not first provoked on your part. I conclude this misunderstanding between us must have originated from those who have not well understood or well remembered my words, or my writings not being well understood or explained. In this state of affairs, and to dispel all shade of coldness or misunderstanding between the two nations, I have resolved to send, without delay, an ambassador to the President of the United States to make a reclamation

[34] Goldsborough's Nav. Chron., 284.

relative to the xebec and two prizes in question. I do not hesitate a moment in giving you my word of honor and that of a prince, as I reciprocally demand of you, that I will not commit any hostilities whatsoever or make the least change in the present peace existing between us until the return of my ambassador from your country with the ratification of peace or some other propositions or determinations of the President. Be pleased then, in this interval, to send me a chargé d'affaires, until there is by the President chosen, named, and sent to me a consul. With confirming the above said, I salute you and wish you happiness."[35]

On August 15 Colonel Lear returned to the flagship and reported that his mission had resulted satisfactorily. The commodore at once called in the cruisers that he had stationed at the mouth of the bay and suspended all defensive operations. He appointed Dr. James Dodge, the surgeon of the "Constitution," to act as chargé d'affaires at the court of Tunis. The bey chose as ambassador to America Suliman Mellimelni, a distinguished Tunisian soldier and statesman. He had formerly commanded his master's army, and had fought gallantly in his country's wars with Algiers and Turkey. On August 27 Mellimelni paid Rodgers a visit of respect on board the "Constitution." The yards were manned and a salute of eleven guns were fired in his honor. After inspecting the ship and dining with the commodore he returned to Tunis. On

[35] Goldsborough's Nav. Chron., 285.

September 1 the ambassador and his suite embarked for America on board the frigate "Congress," Captain Stephen Decatur.[36] She sailed on September 5 and arrived at Washington on November 29.

The expedition to Tunis ended with the sailing of the "Congress." It had resulted in giving the bey an impression of the strength of the United States that was a revelation to him. He now took pains to collect much information respecting the size, situation and resources of our country. The foreign consuls at Tunis were much astonished at Rodgers's success, and some of them said that no other nation had ever negotiated with Hamuda on such favorable terms. Formerly, the corsair rulers had refused to deliver to our agents in Barbary American vessels wrongfully captured; now, one of these potentates was sending an ambassador to America to reclaim Barbary vessels legally captured. "It must be mortifying to some of the neighboring European powers," our consul at Tripoli wrote to Rodgers on hearing of the result of the expedition, "to see that the Barbary states have been taught their first lessons of humiliation from the Western World."[37]

Soon after establishing himself in Washington in November, 1805, the Tunisian ambassador demanded of our government the restoration of the three vessels

[36] Rodgers Letter-Book, 107–109.
[37] Rodgers Papers, Sept. 6, 1805.

whose ownership was in dispute. To conciliate the bey, Jefferson relinquished all claims to them. Encouraged by his success, Mellimelni asked for a supply of naval stores as the price of a three-years' peace. This was too much for even our peace-loving President, who refused to grant the extortion. Later, however, his resolution weakened, and he decided to give the bey the brig "Franklin" and a load of naval stores, and to send the ambassador home on board of her. This plan was abandoned when Mellimelni refused for some trivial reason to return in this manner. Finally the government chartered the ship "Two Brothers" and indulged the ambassador to the extent of furnishing him with an agent to purchase a cargo and of permitting him to load it on board the ship and have it conveyed to the Mediterranean, where he doubtless realized a handsome profit on his venture. In September, 1806, the "Two Brothers," with Mellimelni as a passenger, sailed from Boston for Tunis.[38]

Jefferson's friendly yielding to the demands of Mellimelni is one of many indications that he did not enter into the commodore's plans and wishes to discipline the bey of Tunis by the use of force. In his annual messages he made no mention of the Tunisian expedition. He did not publicly commend Rodgers for his efficient services in ending the war with Trip-

[38] Allen, 271–272, with references.

oli and in humiliating the bey. It ill befitted the peaceful President, now embarked on his cheese-paring naval policy, to welcome home the returning hero.

The negotiations of naval officers and other agents of our government with the Barbary powers came to an end for a time with those of Rodgers and Lear with Tunis. In the summer of 1806 Rodgers returned home with all but three of his ships, and no new squadron was dispatched to the Mediterranean. On the contrary, in 1807, the remaining ships were withdrawn, and not until 1815 was a fleet sent to those waters.

CHAPTER IV

Negotiations with Algiers, 1815–1816

During the period 1807–1815 when the United States had no ships in the Mediterranean, we suffered various indignities at the hands of the Barbary states. In 1810 Tunis threatened war and had to be satisfied by a recognition of her claim to an American vessel which had been seized by the French, sold at Tunis, sent to sea under Tunisian colors, and reclaimed by the American consul at Malta.[1] In 1815 the American ship "Abaellino," of Boston, captured several British vessels in the Mediterranean, and sent two of them into Tunis and two into Tripoli. The bey and the pasha permitted British men of war to retake these prizes in neutral waters, in violation of their treaties with the United States, and notwithstanding the protests of the American consuls.[2]

It was with Algiers, however, that we had most trouble. In 1807 the dey, angered at the American government's delay in sending him its tribute of maritime stores, gave orders for the capture of our merchantmen, and three of them were taken. Consul-

[1] Am. State Pap., For. Rel., III, 394.

[2] Allen, Our Navy and the Barbary Corsairs, 289–290.

General Lear succeeded in appeasing the angered ruler, but not until after he had paid him eighteen thousand dollars for the release of nine prisoners.[3]

An even greater humiliation was in store for Lear. In July, 1812, the American ship "Alleghany" arrived at Algiers with a supply of tribute in the form of maritime stores. When the vessel had been partly unloaded, the dey became dissatisfied, ordered the stores to be reloaded, and demanded that Lear pay him the tribute in cash. He stated that the sum due him was twenty-seven thousand dollars, eleven thousand dollars more than Lear computed. He gave Lear three days in which to pay the money, and ordered him and all other Americans to leave Algiers within that time. The only concession that Lear was able to obtain was an extension of the time to five days. Within the specified period the money was paid, and Lear and his countrymen embarked on board the "Alleghany," and sailed for Gibraltar. The dey now sent his ships to sea to cruise after American vessels, and in a short time they captured the brig "Edwin," of Salem, Massachusetts. The crafty Algerine ruler had expected to reap a rich harvest of merchantmen, but our war with Great Britain caused our ships to abandon the Mediterranean trade, and the "Edwin" was the only ship that fell into his hands.[4]

[3] Am. State Pap., For. Rel., III, 32–33; Wait's State Pap., VI, 69–72.

[4] Wait's State Pap., IX, 127–144.

In 1814 our consul to Tunis failed in an attempt to obtain the release of the crew of the "Edwin," notwithstanding he was instructed to offer three thousand dollars a man for them. The Swedish consul used his good offices in their behalf, but he too failed.[5] Our war with Great Britain so engrossed our navy that it was impossible to dispatch a fleet to the Mediterranean while it lasted, but the conclusion of peace in February, 1815, gave the government a chance to settle its score with Algiers. Moreover the Mediterranean trade was certain to revive, and until peace was made with Algiers, it would be exposed to the depredations of the Algerine vessels.

On February 23, 1815, President Madison in a message to Congress recommended that war be declared against Algiers, and a week later an act was passed authorizing the capture of Algerine vessels.[6] Two naval squadrons, one under Commodore William Bainbridge, and the other under Commodore Stephen Decatur, were ordered to the Mediterranean, and Bainbridge, Decatur, and William Shaler, consul general to the Barbary states, were appointed joint commissioners to negotiate a treaty with Algiers. Decatur's squadron sailed several weeks before Bainbridge's, and it carried Shaler as a passenger. Shortly after reaching the Mediterranean Decatur had the good fortune to

[5] Allen, 279–280.

[6] Am. State Pap., For. Rel., III, 748–749; U. S. Stat. L., III, 230.

capture two Algerine vessels, a brig and the frigate "Meshuda," the flagship of the Algerine squadron. Hammida, the commander of the squadron, was killed, and more than five hundred Algerines were taken prisoner.[7] After these successes Decatur deemed the moment favorable for affording the dey an opportunity to make peace. He therefore proceeded to Algiers where he arrived on June 28. On the morning of the following day a flag of truce was hoisted on board the "Guerriere," Decatur's flagship, with the Swedish flag at the main, and about noon a boat came off, bringing John Norderling, the Swedish consul, and the captain of the port.[8] They were informed of the capture of the frigate and brig, and were greatly impressed by the news, so well fitted to operate on the fears of the Algerines. The captain of the port asked the commissioners to state the conditions on which they would make peace, and they replied by giving him a letter which President Madison had addressed to the dey and a note signed by themselves. The President gave the dey the choice of peace or war. "Peace to be durable," he said, "must be founded on stipulations equally beneficial to both parties, the one claiming nothing which it is not willing to grant to the other."[9]

[7] Allen, 284.

[8] For negotiations see Am. State Pap., For. Rel., IV, 6–7; Captains' Letters, U. S. Navy Dept. Arch., 1815, VI, no. 22; and William Shaler's Sketches of Algiers, 126–127, 274–275.

[9] Shaler, 275.

The commissioners in their note informed the dey that they were ready to open negotiations for the restoration of peace, but that they would treat only on the principle of perfect equality and on the terms granted the most favored nation, and that no stipulation for tribute in any form would be agreed to.[10] The captain of the port requested that hostilities should cease during negotiations, and that the commissioners should negotiate on shore. These requests were rejected, and the visitors were informed that the negotiations must be conducted on board the fleet and that hostilities would be continued until an agreement was reached.

The visitors now went ashore, and on the following day returned, having been in the meantime commissioned by the dey to treat on the basis proposed by the commissioners. They appeared to be exceedingly anxious to conclude peace at once. The commissioners presented them with the draft of a treaty and informed them that no substantial departures therefrom would be permitted, adding that the United States would never stipulate to pay tribute in any form whatever, but that on the presentation of consuls it would follow the custom of other nations.

After examining the treaty, the dey's negotiators objected to the provision requiring the restitution of the captured property, which had been distributed, alleging

[10] Shaler, 274.

that such a demand had never before been made upon Algiers. The commissioners replied that the provision was just and would be adhered to. The dey's negotiators then asked for the restoration of the two vessels captured by Decatur, and on this being refused them, they presented an argument in support of their request. Regarding the prizes of little value, the commissioners finally decided to present them to the dey as a favor and as an expression of their compliments. To a last request for a truce, for three hours if a longer time could not be granted, while the Algerine government considered the terms of the treaty, the commissioners replied emphatically: "Not a minute. If your squadron appears in sight before the treaty is actually signed by the dey and the prisoners sent off, ours will capture them."[11]

Finally it was agreed that hostilities should cease the moment a white flag was displayed from the boat which should bring off the completed treaty and the American prisoners. The Swedish consul pledged his word that the signal would not be made unless the treaty was signed and the prisoners in the boat. The dey's negotiators went ashore, and although the distance to the fleet was fully five miles, they returned within three hours with the prisoners and the completed treaty. They were none too soon, for an Algerine corvette had appeared in sight, and the

[11] Allen, 287; Am. State Pap., For. Rel., IV, 6.

American vessels were in full chase, and would have captured her had the arrival of the treaty been delayed an hour.[12]

The Shaler-Decatur treaty was the most liberal treaty that Algiers had ever made with a Christian nation, and marks the beginning of a new era in the relations of that country with the civilized powers. It provided that no tribute in any form, or under any name, should henceforth be required by Algiers of America. The prisoners in the possession of the two contracting parties were to be surrendered, without payment of ransom. Algiers was to deliver to Shaler ten thousand dollars and a quantity of cotton as an indemnification to American citizens for losses. Prisoners taken in any future war between the United States and Algiers were not to be enslaved, but were to be exchanged within twelve months after their capture. During a war between the United States and another power, Algiers was to permit the United States to sell prize vessels in her ports, but was to deny a similar privilege to the other power. American consuls were empowered to "assist" at the trial of citizens of the United States charged with killing, wounding, or striking a subject of Algiers—a recognition of the principle of exterritoriality. A sentence against an American citizen was not to be greater than that against a Turk under the same conditions. The treaty

[12] A. S. Mackenzie, Life of Stephen Decatur, 267–268.

contained a shipwreck convention and a most-favored-nation clause.[13]

On the same day that the treaty was signed, Shaler went ashore as consul general and was received with the honors due that office. The stipulated quantity of money and cotton was shortly delivered to him. Owing to the dread of American arms, the dey showed a sincere disposition to maintain peace. The commissioners in their official correspondence very truly remarked that the only security of peace was the presence of a respectable naval force in the Mediterranean.[14]

Soon after the conclusion of the negotiations with Algiers, Decatur proceeded to Tunis, and on his arrival there learned of the incident respecting the two prizes of the American privateer "Abaellino." These vessels, while lying in the waters and under the protection of the bey of Tunis, were taken possession of by a British ship of war. Decatur demanded satisfaction of the bey for this violation of American rights, and after some hesitation the bey agreed to pay for the vessels, but requested a postponement of payment for a year. Decatur would not listen to delay, and in the end the bey yielded and paid to the American consul forty-six thousand dollars, the value of the prizes.

[13] For text of treaty see U. S. Stat. L., VIII, 224–227, or U. S. Treat. and Conv. (1910), I, 6–11.

[14] Am. State Pap., For. Rel., IV, 6.

From Tunis Decatur sailed for Tripoli, where he arrived on August 5, 1815. Here also the British had been permitted to retake two American prizes in neutral waters. On learning the details of the incident, Decatur demanded an indemnity of thirty thousand dollars. The pasha objected to payment. After some time had been spent in negotiations, Decatur agreed to accept twenty-five thousand dollars and the release of ten captive Neapolitans and Danes; and the claim was finally settled on these terms.[15]

Bainbridge did not arrive in the Mediterranean until about the time Decatur completed his adjustment of the difficulties with the Barbary states, and in the latter part of 1815 both officers returned home. Decatur was received by his countrymen with many manifestations of their admiration. Both the secretary of state and the secretary of the navy expressed their satisfaction with the achievements of his cruise, and Congress appropriated one hundred thousand dollars to reimburse the officers and seamen of the fleet for the prizes given up to Algiers.[16]

The ratification of the Decatur-Shaler treaty was advised by the Senate on December 21, 1815, and five days later the treaty was proclaimed by the President. On April 4, 1816, Commodore John Shaw arrived at

[15] Captains' Letters, 1815, IV, no. 88; V, no. 14; VI, no. 21; Mackenzie's Decatur, 385.

[16] Mackenzie's Decatur, 291; U. S. Stat. L., III, 315.

Algiers with a copy of the treaty, and two days later he and Shaler called on the dey to exchange ratifications. The dey, having decided to repudiate the treaty, raised objections to it; and finally he declared it was null and void by reason of the failure of the United States to restore to him one of the two vessels captured by Decatur, and that in the future he would be bound by the treaty of 1795. The dispute with him lasted several days, and came to a climax with Shaler's withdrawal to the fleet, with a copy of the treaty of 1815 which the dey returned to him. Plans to attack the city were now made and abandoned, and negotiations were continued under a flag of truce. In the end the dey agreed to accept provisionally the new treaty, to write a letter to the President setting forth his grievance, and to await a reply. By virtue of this agreement Shaler returned to his post.[17]

On receiving the dey's letter to the President, Shaw dispatched a vessel with it to the United States, and by October the President's reply had reached the Mediterranean. The dey's knowledge of the American government was somewhat limited, but this deficiency he made up by his command of the language of diplomatic compliment, as may be seen from the following extract from his letter:

"To his Majesty, the Emperor of America, its adjacent and dependent provinces and coasts, and where-

[17] Captains' Letters, 1816, IV, nos. 74, 76; Shaler, 131.

ever his government may extend, our noble friend, the support of the kings of the nation of Jesus, the pillar of all Christian sovereigns, the most glorious amongst the princes, elected amongst many lords and nobles, the happy, the great, the amiable James Madison, Emperor of America (may his reign be happy and glorious, and his life long and prosperous) wishing him long possession of the seal of his blessed throne, and long life and health, Amen. Hoping that your health is in good state, I inform you that mine is excellent, thanks to the Supreme Being, constantly addressing my humble prayers to the Almighty for your felicity.[18]

The dey informed the President that, since Decatur's promise to restore the two ships had been broken, a new treaty must be made, and that he proposed to renew the treaty of 1795. The President replied that there had been a delay in restoring to him one of the ships owing to its detention by the Spanish government at Carthagena on the ground that it was captured in Spanish waters, but that the Spanish government had promised to give up the ship and that it appeared that it had done so, and that both vessels were at the time at which he wrote in the possession of the dey. He further informed the dey that Shaler and Commodore Isaac Chauncey had been appointed commissioners to terminate the existing differences by a "mutual recognition and execution of the treaty lately

[18] Shaler, 276.

concluded."[19] The President's letter was dated August 21, 1816.

Commodore Isaac Chauncey, who had been appointed commander-in-chief of the Mediterranean squadron arrived on his station in July, 1816, and shortly thereafter visited Algiers, whence after taking Shaler on board his flagship he sailed to Gibraltar for their instructions as commissioners and for the President's letter. Having obtained these documents, they returned to Algiers early in December, and on the ninth of that month they sent to the dey the President's letter and their ultimatum as commissioners. They stated in their ultimatum that Decatur's promise to restore the two prizes had been fulfilled, and that the delay in respect to the delivery of one of them had not been caused by any remissness on the part of the American government. They offered the dey peace on the following terms: (1) A renewal of the Decatur-Shaler treaty in its exact form, with the exception of a gratuitous modification of article 18 which the President had authorized to be made; and (2) an exclusion of a clause which had been introduced into the treaty by its translator in the interest of Algiers, laying on the United States an obligation to give consular presents. The modification of the 18th article which the President had authorized to be made annulled the advantages which that article gave the United States over

[19] Shaler, 296.

other countries in respect to the sale of prizes in the ports of Algiers.[20]

The negotiations were begun on December 17. Owing to boisterous weather which necessitated Chauncey's presence on shipboard, he did not land with Shaler. The dey made many artful endeavors to evade renewing the treaty. He complained of the length of time the President had taken in answering his letter, and asked that he be granted an equal period for reaching a conclusion in respect to the treaty. In the end however he surrendered with good humor and accepted the ultimatum. One request that he made was granted, that he be given a certificate stating that he had been compelled to accede to the commissioners' terms. The treaty was signed on December 22 and 23, 1816. By some accident it was overlooked in the state department, and was not ratified until 1822. Its ratification was advised by the Senate on February 1 of that year, and ten days later it was proclaimed by the President.[21]

Between 1816 and 1822 France, Sardinia, and Holland made similar treaties with Algiers, but Naples, Sweden, Denmark, and Portugal continued for some years to pay tribute.[22] The twenty-six thousand dol-

[20] Shaler, 297–299.

[21] For the negotiations of Shaler and Chauncey see Shaler, 149–153, 276–278, 295–300; Captains' Letters, 1816, IV, no. 110; U. S. Stat. L., VIII, 244–248.

[22] Eugene Schuyler, American Diplomacy, 231.

lars which the dey of Algiers exacted from Lear in 1812 was the last tribute paid by our government to a Barbary power. For many years thereafter considerable sums were annually expended for "intercourse" with Barbary, a part of which was used to purchase presents.[23] That the United States led all other nations in resisting the exactions of the Barbary corsairs, and that American naval officers, in the use of both warlike and peaceful means, were important factors in establishing the policy of resistance, will always be a source of gratification to patriotic Americans.

[23] Schuyler, 232; S. Ex. Doc., 44 Cong., 2 sess., no. 38, 44, 54, 55.

CHAPTER V

The First American Treaty with Turkey, 1784–1832

Five American naval officers, Commodores William Bainbridge, John Rodgers, William M. Crane, James Biddle, and David Porter, are connected with the negotiations for a treaty with Turkey. All were from the Middle States: Bainbridge and Crane from New Jersey, Rodgers and Porter from Maryland, and Biddle from Pennsylvania. Porter was the father of Admiral David D. Porter, and Biddle, the nephew of Captain Nicholas Biddle of the Continental navy. It has not been found best to abstract the achievements of these men from those of others connected with the making of the first treaty with Turkey. The part that each of them played will be described in its proper place in the narrative that follows.

At the beginning of the nineteenth century, Turkey, or the Ottoman Empire, was a much more populous country than the United States, and before the acquisition of Louisiana much larger in area. It embraced all the lands adjoining the Eastern Mediterranean, and extended from Greece through Turkey in Europe, Asia Minor, Syria, Egypt, Tripoli and Tunis, to

Algiers, although not a few of its states like Tripoli, Tunis and Algiers, had scarcely more than a nominal connection with the empire. The capital was Constantinople, and the government was an absolute monarchy, with supreme power vested in the Sultan, who was assisted in legislation by a privy council called the divan, or porte, or sublime porte. Representatives of foreign governments dealt largely with one member of this council, the Reis Effendi, or minister of foreign affairs. Their dealings, however, were by no means restricted to this official. Our representatives, for instance, frequently had interviews with the Capudan Pacha, or minister of marine, who was also the grand admiral or commander-in-chief of the Turkish fleet. Not until 1856 was Turkey adopted into the family of nations. At the time of which we write the Christian nations in their intercourse with that country followed the Oriental forms of diplomatic procedure.

Our first connection with the Ottoman Empire, like that with many other distant powers, was brought about through our commerce. Soon after the peace of 1783 we established relations with Tunis and Tripoli as has been seen, and about the same time our vessels began to visit some of the Turkish ports in the Levant. From 1783 to 1800 our trade in this quarter was slight, but from 1801 to 1812 it was considerable, although varying much with different years. On one occasion during the latter period, it is said, twenty American

vessels were to be seen lying in the harbor of Smyrna. Our Levant trade was interrupted by the War of 1812, but on the close of that war, it at once revived. From August, 1811, to November, 1820, exclusive of the period of the War of 1812, thirteen American vessels, on the average, arrived annually at the port of Smyrna. The value of their cargoes for each year was upwards of a million dollars. The trade was almost exclusively with Smyrna, and never with Constantinople. Occasionally our vessels would take on a cargo at the islands of the Grecian Archipelago or the coast of Syria, and now and then they would visit Alexandria freighted with pilgrims on their way from Barbary to Mecca.

For many years the United States government did little or nothing to protect or facilitate this trade, and our merchants were left largely to shift for themselves and make their own arrangements respecting tariffs, fees, and other charges. In 1808 a Mr. Sloane of Baltimore was sent to Smyrna as American consul, who after trying in vain to obtain official recognition from the Turkish government returned to the United States, leaving the affairs of his office in charge of the consul of Denmark and Sweden. For several years this official assisted our distressed seamen and furnished our vessels with clearance papers. Before 1815 American citizens in Smyrna looked to Great Britain for the security of their persons and property. Their

commercial business was conducted largely by the British Levant Company, which received certain profits arising therefrom and a consulate duty of one and one-fourth per cent. on the value of the American cargoes.

On the establishment of the American commercial house of Woodmas and Offley at Smyrna about 1811, a part of the profits of the Levant company were diverted to this firm; and the ill will and jealousy of the British merchants were aroused. Shortly after the establishment of this house, at the instigation of the British merchants and others, the tariff on goods imported and exported by Americans was doubled by the Turkish government. Mr. David Offley, of Pennsylvania, a member of the firm of Woodmas and Offley, resisted the collection of the tariff, and when an attempt was made to enforce it went to Constantinople for the purpose of negotiating a more favorable arrangement with the Porte. Here he encountered the secret opposition of the British minister, Stratford Canning; and the fact that he was a private citizen and not an accredited envoy of the United States was used to discourage his mission. By his insinuating address or by good fortune, he obtained audiences with several of the leading officials, who, however, for a time opposed every suggestion respecting a reduction of duties. Not until he threatened to lay his case before the Sultan did they discover a spirit of accommodation,

and agree to accept a satisfactory tariff. This was based on the French tariff with Turkey, which in some cases it slightly exceeded, the average excess being about fifteen per cent. Offley's tariff remained in force until the treaty between the United States and Turkey of 1830 went into effect. His many services to American commerce were recognized by his government, and about 1824 it appointed him consul and commercial agent at Smyrna.[1]

The navigation of the Black Sea also needs a word of explanation. On the capture of Constantinople in 1453, the Turks closed the Black Sea to all ships except their own. It remained closed until 1774 when Russia obtained the right to trade in it and navigate it with merchant vessels. A similar right was granted to Austria in 1784, and to Great Britain and France in 1802, and shortly thereafter to other European powers. To foreign naval vessels, however, these waters continued to be closed.

Between 1784 and 1829 the American government made several attempts to negotiate a treaty with Turkey, all of which for one reason or another proved fruitless. These will now be considered in chronological order. In May, 1784, when Adams, Franklin

[1] This account of American trade with Turkey is based chiefly on Captains' Letters, U. S. Navy Dept. Arch., 1820, III, no. 27; and Negotiations with Turkey, 1817–1831, U. S. State Dept. Arch., Offley to Adams, Jan. 24, 1824, and Offley to Van Buren, Jan. 7, 1830.

and Jefferson were appointed treaty commissioners, the Continental Congress, in enumerating the countries with which they might negotiate for treaties, mentioned the Ottoman Porte. It seems however that only once did the commissioners seriously consider entering into negotiations with that power. In 1786, when they were trying to make a treaty with Algiers, the question whether a treaty with Turkey would not aid their negotiations with the tributary state was discussed, and Adams consulted Vergennes on the expediency of a diplomatic mission to Constantinople. Vergennes advised against it, saying that it would cost a great deal by way of presents and that a treaty with the Porte would have no particular effect on Algiers.[2]

The advantages which a treaty with Turkey seemed to offer, namely, an extension of our Turkish trade, and the obtaining of a share of the Black Sea commerce, early impressed the new government under the Constitution established in 1789. Rufus King, American minister to England during 1796–1803, soon after arriving in London, had his attention drawn to this subject and became impressed with its importance to his country. Among other advantages, that of giving stability to our treaties with Barbary was dwelt upon by him in his communications to the state department. It is said that King, during the second administration of Washington, employed an English gentleman, who

[2] U. S. Dipl. Corr., I, 80; Works of John Adams, VIII, 397.

was familiar with the Turkish language and character, to go to America to receive further instructions from Washington respecting a mission to Turkey; but that this gentleman on his passage was captured by a French privateer and sent to Verdun. The name of King's agent is not known, but a quarter of a century later he was serving as British consul on the coast of Syria.[3]

King's interest in a Turkish-American treaty lasted for several years. Early in his term of office in London, he had several conversations with the Turkish ambassador on that subject, and on the return of the ambassador to Constantinople gave him a short memoir showing the advantage to Turkey of a treaty with the United States. When a new Turkish ambassador arrived in London, conversations respecting a treaty were renewed. The state of this official's knowledge of America may be gathered from his remark on being presented to King that he was glad to see a man who came from the "country of diamonds and gold."

On receiving news of Lord Nelson's victory at the battle of the Nile, King, in view of the influence that it would give England in the eastern Mediterranean, spoke to Lord Grenville, secretary of state for foreign affairs, on the subject of a Turkish-American treaty, and his lordship replied that America might rely with confidence on the influence and good offices of Eng-

[3] James E DeKay, Sketches of Turkey, 292.

land at Constantinople in any arrangements she might be inclined to make there. King next sounded the Russian ambassador and obtained a satisfactory response.[4]

The favorable reports made by King led the American government to take action. On February 8, 1799, President Adams nominated William Smith, of Charleston, South Carolina, at that time minister to Portugal, to be envoy extraordinary and minister plenipotentiary to the Ottoman Porte, with full powers to negotiate a treaty of amity and commerce with Turkey, and three days later the Senate confirmed the nomination.[5] On receiving news of the appointment of Smith, King visited the Turkish ambassador and asked him to communicate the news of it to his government. King also wrote Smith sending him an account of his efforts in London in behalf of the mission and tendering his assistance by way of collecting books and information. Smith accepted the mission and was preparing to enter upon it when the American government, doubtless influenced by the political situation in Europe, decided to suspend it. Later the mission was abandoned and King's persevering efforts availed nothing.[6]

There is good reason to believe that the Ottoman

[4] C. R. King, Life and Correspondence of Rufus King, II, 463, 590.

[5] Senate Ex. Jour., I, 311–312.

[6] King, Life and Corr. of R. King, III, 65.

Porte was favorably disposed towards a treaty, and that had Smith appeared at Constantinople with a liberal supply of presents he could have brought his mission to a successful conclusion. Captain William Bainbridge obtained some evidence on this point. It will be recalled that when Bainbridge in September, 1800, appeared at Algiers with a cargo of maritime stores for the dey, he and his vessel, the frigate "George Washington," were, nothwithstanding his remonstrance, impressed into the service of Algiers and sent to Constantinople on an errand of the dey's. The "George Washington" was the first American vessel to visit the Turkish capital, and, notwithstanding that all foreign ships of war were forbidden to pass the Dardanelles without a license, she was received in a friendly manner by the Sultan and his chief officials. Bainbridge met the Capudan Pacha and during the interview the subject of a treaty between Turkey and the United States was discussed. He thus describes their conversation:—

"He expressed a very great desire that a minister should be sent from the United States to effect it. I informed him, that there was one already named, who, at present, was in Lisbon, and probably would be here in six months. He said he would write to the ambassador, which letter would be a protection for him while in the Turkish empire, and gave me liberty to recommend any merchant vessel to his protection, which might wish to come here previously to the

arrival of the ambassador. I thanked him in the name of the United States for the protection he had been pleased to give the frigate under my command, and for his friendly attentions to myself and officers. I conceive it to be a very fortunate moment to negotiate an advantageous treaty with this government."[7]

Before leaving Constantinople, Bainbridge received the promised letter for Smith, who, however, since his mission was abandoned, made no use of it. The Turkish officials, doubtless anticipating some personal advantage in the form of presents, frequently encouraged the establishment of diplomatic relations between their country and the United States. In 1811 several high officials repeatedly expressed their surprise and displeasure that the American government had never sent an embassy to the Porte.[8]

In 1817 the sending of a mission to Turkey to negotiate a treaty with the United States was again considered. At this time a Frenchman in the employ of the king of France and well acquainted with Turkish affairs and the conflicting interests of foreign governments at Constantinople wrote a letter discussing the proposed American mission, which finally reached the secretary of state at Washington. Since other powers would be interested in the failure of the negotiations, he recommended that the American negotiator should

[7] Thomas Harris, Life and Services of Commodore Bainbridge, 52–53.

[8] Captains' Letters, 1830, III, no. 27.

treat directly with the Sublime Porte, without the intervention of any European authority, and that the mission should be wrapped in "perfect secrecy."[9]

The various suggestions respecting a Turkish mission did not result in any definite progress toward the end in view until the spring of 1820, when Mr. Luther Bradish of New York and Commodore William Bainbridge received separate instructions to sound the Porte on the subject of a commercial treaty with Turkey and to collect information that would aid our government in reaching intelligent conclusions respecting its interests in the eastern Mediterranean. While the mission of the two officials was disconnected, it was understood that they might mutually aid each other. Bradish took passage on Bainbridge's flagship, the ship of the line "Columbus," and they arrived in the Mediterranean in June, 1820.

Bainbridge's duty in respect to Turkey was incidental to his general duties as commander-in-chief of the Mediterranean squadron. Soon after he reached his station, he addressed a letter to Baron Strogonoff, the Russian minister at Constantinople, inquiring whether the "Columbus," accompanied with one of the small vessels of the squadron, might be permitted to visit Constantinople. On learning from Strogonoff and from other sources that the Turkish government

[9] Negotiations with Turkey, J. M. J. to M. J. Jaussand, June 1, 1817.

would not permit him to pass the Dardanelles, he reluctantly abandoned his plan to visit the Porte.

In September he dispatched his secretary, Charles Folsom, to Smyrna to obtain commercial information. He instructed him to report on the trade between the United States and Smyrna and other Turkish ports, on the disposition of the Turkish authorities towards this trade, on the opening of intercourse with the ports of the Black Sea, and on methods of extending American commerce in the Levant. Folsom spent a month at Smyrna and collected much valuable information which he embodied in a report to Bainbridge.[10]

Bradish was an American traveller or tourist, and the objects of his trip abroad were of both a public and a private character. In respect to the mission entrusted to him by the state department, he maintained a careful secrecy. On reaching the Mediterranean, he was therefore much surprised and mortified to find that it was currently reported in the principal ports that he was commissioned to conclude a treaty with the Ottoman government. A similar report seems to have been current in Constantinople, for soon after his arrival at that city in the fall of 1820, he received a message from the Porte inviting him to a private interview with the Reis Effendi, or minister for foreign affairs, which he accepted. The minister at this interview manifested much interest in the disposition of the

[10] Captains' Letters, 1820, III, no. 27.

United States towards a treaty and in its views respecting the best mode of negotiation. After conversing with various high officials, Bradish reported that they seemed much in favor of a treaty and of direct negotiations, being fearful that the United States might seek the mediation of Russia or some other power. He estimated the cost of a treaty at 350,000 piastres, or $50,000. Of this sum, he allowed 200,000 piastres for public presents, and 50,000 piastres "to preserve Halet Effendi's opinion the same as at present." The beginnings of the Greek Revolution interfered with Bradish's mission and led the Porte, out of a desire to conciliate England, to take a less favorable attitude toward a treaty with the United States. Bradish accomplished but little besides the obtaining of valuable information. On taking his departure from Constantinople in February, 1821, he left the unfinished business of his mission in the hands of his interpreter, Nicolas Navoni.[11]

Early in 1823 the Porte informed Navoni that it was ready to negotiate a treaty with the United States. In April of that year Secretary of State John Quincy Adams, who in all probability had been informed of the disposition of the Porte, decided to send a second secret agent to Constantinople to sound the Turkish government and collect commercial information. For

[11] For Bradish's mission see H. Doc., 22 Cong., 1 sess., no. 250, 3–12, 56–60; and J. Q. Adams' Memoirs, V, 197–198.

this mission he chose George B. English, an American adventurer, who had had a most varied and erratic career. After graduating at Harvard, English studied law and began its practice, but abandoned it and turned to theology and Hebrew. A somewhat superficial knowledge of these branches led him to doubt the truth of the Christian religion, and in 1813 he gave vent to his skepticism in a book entitled "The Grounds of Christianity Examined." This called forth an answer by Edward Everett, and English replied in a second book, entitled "Five Smooth Stones out of a Brook." He next edited a newspaper in the West. Abandoning that occupation, he sailed for the Mediterranean as a lieutenant of marines. Arriving in Egypt, he resigned his commission and joined the army of Ismail Pasha, and won distinction as an officer of artillery. He experimented with scythe-armed war chariots built after the manner of the ancients, and introduced the use of camels for drawing cannon. At this period of his career he became a Mohammedan and adopted the Turkish costume and a Turkish name. He possessed a remarkable facility for acquiring languages, and doubtless his knowledge of the Turkish recommended him to Adams.[12]

English proceeded to Constantinople by way of Marseilles, where he procured for the secretary of state a

[12] Appleton's Cyclopedia of American Biography, II, 358; Negotiations with Turkey, Offley to Adams, Jan. 24, 1824.

copy of the French treaty with Turkey.[13] On reaching his destination in the fall of 1823, he found it more convenient to enter into communication with the Capudan Pacha than with the Reis Effendi, as the former official was exceedingly friendly and communicative and quite willing to discuss the subject of English's mission. The Capudan Pacha said that owing to intrigues of the foreign ambassadors at Constantinople, it would be exceedingly difficult to negotiate a treaty there, but that it might be accomplished elsewhere, and he proposed the following plan: "Let the government of the United States secretly authorize the commandant of their squadron in the Mediterranean to meet me in the Archipelago, with instructions to inform me precisely what it is the United States wish to obtain of the Sublime Porte. I will communicate this overture to the Sultan himself, who will decide as he thinks proper, either to encourage or refuse the advances of the United States. If the Sultan should show himself favorably disposed, an arrangement advantageous to your country may probably be effected; whereas an American ambassador who should come direct to Constantinople to negotiate with the Divan would probably find himself embarrassed by intrigues which he could neither discover nor control."[14]

[13] For English's mission see H. Doc., 22 Cong., 1 sess., no. 250, 12–18.

[14] H. Doc., no. 250, 15–16.

It is obvious that the Capudan Pacha was not wholly disinterested and that his advice, if it led to a successful negotiation, would have to be liberally rewarded. On the other hand he was favorably disposed toward America, and had previously extended his protection to the American trade at Smyrna. He was a courteous and tactful man, and ranked third among the officials of the Ottoman Empire. He was grand admiral of the Turkish fleet and inspector of the seas, and later saw important service in the Greek Revolution.[15]

English returned to America in the spring of 1824 and urged his government to accept the good offices of the Capudan Pacha. After due deliberation it decided to take advantage of the offer, and Commodore John Rodgers, who was preparing to take command of the Mediterranean squadron, received instructions covering an interview which he was directed to seek with the friendly admiral of the Turkish fleet.[16] Rodgers was to find out whether the Turkish government was willing to make a treaty, and, if so, what terms it was willing to accept and what method of negotiation it preferred. The possibility of the interview having a successful outcome and leading to the appointment of the commodore and the admiral by

[15] Paullin's Commodore John Rodgers, 340.

[16] For Rodgers's mission see H. Doc., 22 Cong., 1 sess., no. 250, 19–52; Paullin's Commodore John Rodgers, 327–358; and J. Q. Adams' Memoirs, VI, 320, 358, 414, 442, 445, 447, 458.

their respective governments to negotiate a treaty was taken into account. The wishes of the American government respecting a treaty were stated to be: (1) Trade with all Turkish ports on the footing of the most favored nation, (2) free ingress and egress to the Black Sea, and (3) permission to appoint consuls to any Turkish port.[17] English was appointed interpreter to Rodgers at a salary of two thousand dollars a year.

Rodgers reached Smyrna in July 1825, on his way to visit the Capudan Pacha. Here he learned that this official was at sea with the Turkish fleet. Hoping to obtain definite information respecting him, he proceeded to Napoli de Romania, the capital of the Greek republic, but was unable to ascertain the whereabouts of the object of his search. As the season was now advanced, he decided to postpone his interview with the admiral until the following year.

In June, 1826, the commodore again arrived at Smyrna where he was gratified to learn that the admiral's fleet was in the Dardanelles. He therefore proceeded on his way thither, stopping at Tenedos. While at that island a division of the admiral's fleet made its appearance and one of its vessels had the misfortune to run upon a sunken rock. This accident brought the admiral to Tenedos and gave Rodgers an opportunity for an interview. The admiral made

[17] H. Doc., no. 250, 20–21.

the first advances by sending his dragoman to apprize the commodore of his arrival and of his desire to see him on shore on the next day. Rodgers accepted the invitation, and accompanied by Offley and English visited the admiral on the morning of July 6.[18]

The interview opened with the usual interchange of friendly sentiments. Rodgers then explained that his government did not wish to take any measure that might disturb the present friendship of the two powers, and that therefore it hesitated to send an envoy to Constantinople until it was accurately informed respecting the disposition of the Porte relative to a treaty, and that the only terms which it would accept were those granted to the most favored nation. The admiral replied that he would immediately communicate the commodore's observations to the Sultan, that owing to changes in the Turkish military system his government probably could not take up the subject at once, and that some three or four months hence on his return to Constantinople he would be able to bring his government to conclusions highly satisfactory and advantageous to both parties.[19]

Some days later the admiral visited the commodore on board the flagship "North Carolina," and this was followed by a visit of the commodore to the admiral's flagship. On the latter occasion the admiral said that

[18] Paullin's Commodore John Rodgers, 336–344.

[19] H. Doc., no. 250, 48–49.

he had written to the Sultan informing him of the wishes of the President, and he assured the commodore that he need feel no apprehension respecting the outcome of the matter in which they were mutually interested. The two officers showed each other every honor due to their rank and their country. When Rodgers left the admiral's ship a flag bearing the seal of the Sultan was hoisted, a distinction which had never been shown to a European power. Rodgers obtained the advantage of the admiral in the matter of presents. He gave him a diamond ring and a diamond snuff box for his own use and a sword for his dragoman. The admiral's gifts to Rodgers consisted of such relatively trifling articles as a Turkish pipe, a shawl, two silk gown patterns, two handkerchiefs and a small box of sweetmeats.[20]

The admiral promised to communicate to Rodgers the determination of the Sultan respecting the observations made at Tenedos.[21] Events however moved slowly at Constantinople, and when Rodgers sailed for America in July, 1827, the promised letter had not been received. A few months later, however, the admiral, who in the meantime had become minister of war, wrote to Offley stating that the moment was favorable for the negotiation of a treaty and inviting him to come to Constantinople for that purpose.[22] In

[20] H. Doc., no. 250, 49–50.
[21] H. Doc., no. 250, 50–51.
[22] H. Doc., no. 250, 51–55.

February, 1828, Offley received the following note from the Reis Effendi treating of the same subject:—

"The friendship and the desire which the United States of America have manifested towards the Sublime Porte, that a treaty should be concluded between the two governments, are known to be sincere. The delay, until now, must be attributable to destiny! But the present period is favorable for such a convention. If the United States, without delay, adopt the necessary measures and dispositions for proceeding to the conclusion of a treaty of commerce suitable to the dignity of the Sublime Porte, they will find the latter well disposed in this respect."[23]

This note is rather carefully phrased and was unsigned. Obviously the Turkish government did not intend to bind itself or to disclose its terms before the beginning of negotiations. Soon after the receipt of this note in Washington, our government on July 21, 1828, appointed Commodore William M. Crane, Rodger's successor in the Mediterranean, and Consul David Offley commissioners to negotiate jointly or severally a treaty with the Sublime Porte. The principal objects of the United States were stated to be the establishment of commercial intercourse with the Porte on the basis of the privileges granted the most favored nation, and permission to navigate the Black Sea. Twenty thousand dollars were placed at the dis-

[23] H. Doc., no. 250, 55.

posal of the commissioners for the purchase of presents and for similar uses.[24]

Crane arrived at Smyrna on December 3, a few days after Offley had proceeded to Constantinople. As it was not advisable to give the mission too much publicity, he remained at Smyrna throughout the negotiations and communicated with his colleague by letter, who advised with him respecting the proceedings at the Turkish capital. Offley employed Navoni as interpreter. The Turkish government was represented by the Reis Effendi. The negotiations lasted throughout the winter of 1828–1829.

The first interview was merely one of formal ceremony. At the second interview an issue was joined over the balance of advantage conferred by the proposed treaty. The Reis Effendi insisted that Turkey would lose more than she would gain and that therefore she must be given some compensatory concession, and suggested that it might take the form of a present of one or more ships of war. Offley would not listen to this, declaring that his government would never consent to purchase the friendship of any nation, and would enter into a treaty only on the basis of the privileges granted to the most favored nation. The interview was unsatisfactory, and the Turkish government appeared to be willing to discontinue the negotiations.

For some six weeks thereafter communication be-

[24] H. Doc., no. 250, 63–69.

tween the negotiators was by letter or by means of Navoni, and neither side showed any signs of yielding. Finally Offley, deciding to bring matters to a climax, demanded his passports. They were refused, and interviews between the negotiators were resumed. The Reis Effendi now abandoned his demand for an equivalent compensation and the question of tariffs was discussed. He proposed that the tariff on imports and exports to be paid by American vessels should be fixed at two-thirds more than the tariff paid by the vessels of other nations, and that American vessels should pay the same dues as Swedish vessels for the privilege of navigating the Black Sea. Offley refused these terms, and the Reis Effendi gradually whittled them down until the difference between the negotiators was rather slight. In respect to a tariff on imports and exports, he expressed a willingness to place the United States at the end of a year on the same footing as the most favored nation, provided that in the meantime it should pay a small excess. Offley however would not yield a jot or a tittle, and finally he demanded and received his passports and brought the negotiations to an end after they had lasted three months.[25]

When news of the failure reached America, a new administration was in power, which was highly critical of all the work of the old. Inclined to blame Offley for not agreeing to the terms offered by the Porte, it

[25] H. Doc., no. 250, sup. rept., 3–27.

decided to renew the negotiations. Accordingly on September 12, 1829, President Jackson appointed Commodore James Biddle, Crane's successor in command of the Mediterranean squadron, David Offley, and Charles Rhind, a New York city merchant long interested in the trade to the Levant, commissioners to negotiate jointly or severally a treaty with Turkey. The new instructions authorized, if necessary, a small departure in the case of tariffs from the privileges granted the most favored nation, provided that it should be temporary. In the event of a failure to negotiate a treaty, the commissioners were directed to obtain permission to navigate the Black sea.[26]

On September 14, 1829, Rhind sailed from New York to join his fellow-commissioners in the Mediterranean. Taking every precaution to conceal his mission in accordance with the wishes of President Jackson, he embarked in the night-time without bidding his family good bye. On reaching Port Mahon he notified Biddle of his appointment as commissioner and gave him his instructions. The frigate "Java" was at once made ready for sea, and the two commissioners proceeded in her to Smyrna, where they were joined by Offley, who informed them to the great surprise and mortification of Rhind that it was perfectly well known there that the mission had been

[26] H. Doc., no. 250, 69–73; Negotiations with Turkey, "Observations on the Late Negotiations with the Ottoman Porte."

established. To divert suspicion, it was decided that Rhind should proceed to Constantinople alone, and that Biddle and Offley should remain for a time at Smyrna. Rhind reached his destination on February 8, 1830.[27]

Shortly after his arrival, negotiations commenced which were continued during three months. The Russian government was friendly to Rhind, and its agents at Constantinople offered him every assistance in their power. The other European governments were unfriendly, and the British legation actively intrigued against him. Rhind had to contend against plots and counterplots, stratagems and wiles, the jealousies of the Turkish officials, the secret play of their self-interests and the retarding influence of Turkish customs.

At the first interview the Reis Effendi insisted on a compensatory concession in the form of a higher tariff than was paid by the other powers. Rhind offered to grant it, provided that the Reis Effendi would agree to a secret article which should stipulate that, when the existing treaties between Turkey and the other powers should be renewed, the United States would be placed on the same footing with them in respect to a tariff. The Reis Effendi raised objections to a secret article and proposed fixing the tariff at four per cent. Rhind answered that he might fix it at ten per

[27] H. Doc., no. 250, 77–78.

cent. if he chose, provided he placed the United States on the footing of other nations. The discussion now shifted to the subject of the navigation of the Black Sea. The Reis Effendi proposed that the United States should pay the same dues as Sweden, thirty-seven dollars a voyage. Rhind replied that he would accept no terms that discriminated against his own country, more especially since the late Treaty of Adrianople threw open the Black Sea to all nations. The interview ended without much advancing the negotiations.

About the middle of February the Reis Effendi was deposed and a successor appointed who was more friendly to the mission. The new minister associated with himself as a fellow negotiator, the Beylikgi Effendi, or chancellor of state. They proposed to fix definitely the period during which the higher tariff was to be paid, and suggested three years. By this time Rhind's patience was exhausted, and assuming a more independent tone he declined to make any concessions whatever from the terms granted the most favored nation, in respect either to tariffs or the navigation of the Black Sea, and gave the Sultan's negotiators an opportunity to bring the negotiations to a close if they so desired. They declined to accept the opportunity, retreated from their former position, and became more conciliatory. The negotiations now advanced rapidly toward a successful conclusion, and about the middle

of March the Sultan ordered the Reis Effendi "to close with the Americans to their satisfaction," that is, to place them in every respect on the same footing as the most favored nation. Before the formalities of drafting the treaty could be completed, and notwithstanding the exertions of Rhind to expedite them, the deposed Reis Effendi and the British legation, who began an active intrigue against the acceptance of Rhind's terms, succeeded in discrediting the work of the Turkish negotiators by making it appear that they might have obtained better terms for Turkey, and caused the Sultan to reopen the negotiations.

Once more the discussion centered about the concession of a higher tariff for a limited period, and Rhind, although specifically authorized by Jackson to grant it and although he had previously offered to do so, now refused and stood firmly for a treaty on the terms granted to the most favored nation. To accept anything less after the Sultan had agreed to make such a treaty, appeared to him as a surrender to the British, whose intrigues had caused a renewal of the negotiations. Once more the subject was fully discussed by the negotiators, and finally, on April 7, it was again laid before the Sultan, and he again gave orders that a treaty should be drafted in the manner required by Rhind. Fearing that delay might be taken advantage of by his enemies, Rhind decided to exercise the powers granted to him by his commission and to sign

and exchange the treaty without waiting for his fellow-commissioners. Accordingly on May 7 the Reis Effendi signed and sealed the treaty in Turkish and Rhind did the same with a French translation, and the copies were exchanged.[28]

The treaty consisted of nine public articles and one secret article. Several of the former were exceedingly important. Article 1 placed the merchants of the two contracting parties as respects tariffs on the footing of the most favored nation. Article 2 gave the United States the right to appoint consuls to Turkish ports. Article 4 related to the settlement of disputes between Turks and Americans and the trial of Americans for crimes, and recognized the principle of exterritoriality. Article 7 granted American vessels the right to navigate the Black Sea on the terms granted the most favored nation. Article 9 contained a shipwreck convention. The secret article was agreed to by Rhind in order to satisfy the Sultan's demand for some equivalent concession. It provided that when the Porte wished to build ships of war in the United States he might consult the American Minister at Constantinople about the mode of making contracts, and that the two governments might concert measures in respect to the transportation of ship timber from the

[28] For Rhind's account of his negotiations, see his letter to President Jackson dated May 10, 1830.—H. Doc., no. 250, 77–94.

United States to Turkey—concessions of trifling importance.[29]

On May 9 Rhind dispatched a messenger to Smyrna with a firman granting Biddle and Offley permission to come to Constantinople by land. Not until four days after their arrival, did he inform them of the existence of the secret article. Rhind's secrecy in respect to this article, his completion and his exchanging of the treaty before the arrival of his fellow-commissioners, and his assumption of credit for the negotiations in the preamble of the treaty, aroused in his fellow-commissioners a feeling of ill will. They declared themselves strongly opposed to the secret article, and were finally prevailed upon to sign the treaty only through fear that their refusal would cause the negotiations to be broken off, defeat the object of the mission, and lead the Turks to increase the tariff on American commerce. They quarreled with Rhind over the giving of presents and over payment for them.[30]

On December 15, 1830, President Jackson trans-

[29] For text of treaty see U. S. Stat. L., VIII, 408–409, U. S. Treat. and Conv. (1910), 1318–1320, and H. Ex. Doc., 22 Cong., 1 sess., no. 304. For secret article see H. Doc., 22 Cong., 1 sess., no. 250, 94–95; and Negotiations with Turkey, secret article.

[30] Negotiations with Turkey, Biddle to Van Buren, May 31, June 9, 1830; Offley to Van Buren, June 3, 1830; Rhind to Van Buren, June 8, 1830; Protest of Rhind, June 7, 1830; H. Doc., no. 250, 95.

mitted the treaty to the Senate for its consideration, and on February 2, 1831, it ratified the public articles.[31] The secret article was subjected to a close scrutiny and elicited much discussion. Its opponents urged that it trenched on our settled policy of neutrality, that it might embroil us with foreign nations, that we could ill spare shipbuilding materials, that a secret article was at variance with a frank and open policy, and that in dealing with a foreign nation we neither asked nor granted a boon. These arguments prevailed, and a motion to ratify the article was lost by a vote of 18 to 27. The motion to ratify the public articles carried by a vote of 42 to 1.[32]

On March 2, 1831, Congress appropriated $36,500 for an American legation in Turkey: $4,500 for the salary of a chargé d'affaires, $4,500 for the outfit of the chargé, $2,500 for the salary of a dragoman, and $25,000 for the contingent expenses of the legation.[33] On April 15 President Jackson commissioned Commodore David Porter, who had recently resigned from the navy to fill the principal office thus created, and in August he proceeded to Constantinople, empowered to exchange ratifications.[34] In the preliminary con-

[31] Richardson's Messages and Papers of the Presidents, II, 530; Sen. Ex. Jour., IV, 148–150.

[32] DeKay, Sketches of Turkey, 295–296; Sen. Ex. Jour., IV, 148–150.

[33] U. S. Stat. L., IV., 458–459.

[34] D. D. Porter, Memoir of Commodore David Porter, 396.

ferences between him and the Turkish officials, the latter raised objections to the rejection of the secret article and also to the variance in language which was found to exist between the Turkish version of the treaty and the translation ratified by the President and Senate. In respect to the secret article Porter satisfied the officials by saying, truly, that it granted no privileges they did not already possess and that their government could if it wished, have ships built in the United States.[35] The variance in the two versions of the treaty was a more serious matter. Porter met this difficulty by agreeing, in a written paper, to observe strictly the Turkish original; and he further bound himself and his government to abide by that instrument, in these words: "If, hereafter, any discussion should arise between the contracting parties, the said instrument shall be consulted by me and by my successors to remove doubts."[36]

On the removal of these difficulties, Porter and the Reis Effendi exchanged ratifications on October 3, 1831. In a letter to a friend, in which he refers to himself as "the minister," Porter gives the following interesting description of this simple ceremony:—

"The house of the Reis Effendi is a very ordinary old red house, so near the water in the village Candalie as to step from the boat into his door. I found some workmen who were making repairs, cleaning out

[35] DeKay, Sketches of Turkey, 298.

[36] J. B. Moore, International Law Digest, II, 671.

the rubbish. The minister went up stairs and found him wrapped up in rather a coarse brown cloak with his dragoman dressed in a similar manner. There were half a dozen servants standing at the door, and this was the only appearance of state that I witnessed. After rising and shaking hands, he asked the minister to be seated; pipes, coffee, and sherbet were introduced; they talked about the storm and other matters, when the minister mentioned to him the presents were in the bags, and had better be looked to. We all assisted in getting them out, and after we had done so, he examined with great admiration the presents for the Sultan, consisting of a snuff box, costing about $9,000 and a fan which the minister paid about $5,000 for. He was greatly struck with their richness and beauty, and I have the strongest reasons for believing that from a republican agent the head of the Ottoman empire has received the most magnificent and most valuable present of the kind which now is or ever has been in his possession.

"The ceremony of exchange was merely rising; the Reis Effendi taking the Turkish treaty in his right hand, and the American minister doing the same with the American, raising them as high as the head and at the same instant making the exchange. He delivered the American treaty to his interpreter; and the minister the Turkish to Mr. Hodgson. . . . The endorsement on the treaty is in the following words, Turkish, of course: 'This the Imperial ratification of the treaty between the noble and glorious possessor of the world, and the noble chief of the United States of America."[37]

Still one more formality remained to be performed,

[37] David Porter, Constantinople and its Environs, I, 49–51.

the proclamation of the treaty by the President. This took place on February 4, 1832. For more than thirty-five years thereafter no question arose respecting the differences between the Turkish version and the translation ratified by the President and Senate. In 1868 the Turks claimed jurisdiction over two American citizens arrested and imprisoned by the American authorities in Syria for alleged offenses against the Ottoman government. It was then shown that, among other words, the following, "they [citizens of the United States who have committed some offense in Turkey] shall be tried by their minister or consul and punished according to their offense," occurred in the American version but not in the Turkish one. These words were exceedingly important since they recognized in a very broad way the principle of exterritoriality. The true meaning of the Turkish version, assuming it to be the accepted standard, has been discussed from time to time since 1868, and is still unsettled.[38]

[38] Moore's International Law Digest, II, 671–714.

CHAPTER VI

Early Relations with China, 1783–1830

The first Americans to visit the Orient were certain hardy seafaring men from Massachusetts, Rhode Island, and New York, who during King William's war abandoned their lawful trades and embarked on a piratical career. Lured on by a love of gold and a thirst for adventure, they left their familiar haunts in the Atlantic, crossed the equator, sailed down the African coast, doubled the Cape of Good Hope, and navigated the Indian Ocean in prosecution of their lucrative calling. In the latter part of King William's war, it was no unusual sight to see these roistering freebooters, fresh from a cruise in the waters of the Orient, staggering through the streets of Boston, New York, Newport, Providence, Philadelphia, and Charleston—the ports most frequented by them. They wore a garb calculated to arouse the awe of the quiet citizens, "a broad crimson sash across the left shoulder, a laced cap, a fancy jacket, white knickerbockers, a heavy gold chain, and no less than three or four richly-mounted pistols in a gaudy belt."[1] They seem to have confined their Eastern adventures to the

[1] Albert Ulmann, Landmark History of New York, 59.

Indian Ocean and adjacent seas, and never to have passed beyond the East Indies nor to have entered the waters of the Far East.

Not a few references to voyages in the Eastern seas made by American pirates are to be found in the early colonial records. Concerning a citizen of Massachusetts, a native of the seat of Harvard College, the Earl of Bellomont, governor of New York, wrote as follows to the Lords of Trade in London, on May 3, 1699:—

"Your Lordships I presume will have a full account from Boston of a parcell of pirates lately taken there with their ringleader, Joseph Bradish, born at Cambridge near Boston. The Commander, Bradish, ran away with the ship called the 'Adventure' of London, an interloper to the East Indies, leaving the true Commander, Captain Gulleck, on some island in the East Indies, together with some officers and men that belonged to the ship. They came to the east end of Nassau Island [Long Island]and sunk the ship between that and Block Island. The ship of about 400 tons. I had no notice till a week after the ship was sunk, or if I had had notice I would have done nothing towards seizing or securing the ship or men without a man of Warr."[2]

A document of the date 1697, to be found in the Rhode Island colonial records, affords a glimpse of the movements of Captain Want or Wanton, a member of a distinguished family of that colony, and of several

[2] Colonial History of New York, IV, 512.

other notorious Rhode Islanders. From this source the following note has been obtained:—

"William Mews, a pirate, fitted out at Rhode Island. Thomas Jones is concerned in the 'Old Bark,' with Capt'n Want, and lives in Rhode Island. Want is gone into the Gulf of Persia, and in all probability is either at Rhode Island or Carolina by this time. Want's wife lives there [Rhode Island]. Want broke up there about three years ago after a good voyage, and spent his money there and in Pennsylvania."[3]

The varied career of Captain Thomas Tew, of Newport, is worthy of notice. He was a friend of Captain Misson, who founded a colony on the island of Madagascar. These two, with a third pirate, a Portuguese, named Caraccioli, established a democratic and representative government for the colony. They were elected by the people for terms of three years to the three principal offices. Misson was the "lord conservator," Tew the "admiral," and Caraccioli the "secretary of state." Slavery was abolished. The coast of Madagascar was surveyed, and an exact chart made showing sands, shoals, and depths of water. A fort, batteries, wharves, and ships were constructed. The pirates placed under cultivation one piece of land and enclosed for pasture another piece, upon which at one time three hundred head of black cattle were grazed. With their settlement as a base they made

[3] Rhode Island Colonial Records, III, 322.

forays upon the shipping of the Indian Ocean, and especially upon that of the Red Sea. On one occasion they captured off the coast of Arabia a vessel belonging to the Grand Mogul, which had on board sixteen hundred souls, including some pilgrims to Mecca and some Moorish mariners. Many valuable prizes were taken and much wealth was accumulated, but finally owing to a series of misfortunes the colony was abandoned. Tew returned to Rhode Island.[4]

The first merchandise direct from the Orient exposed for sale in America was brought to this country by pirates. Arabian gold, pearls from the Indian Ocean and Oriental fabrics abounded in the chief cities of the colonies. The treasure of Captain Kidd that was seized in Boston in 1699, contained a characteristic assortment of piratical plunder: "an iron chest of gold, pearls, etc., 40 bails of East India goods, 13 hogsheads, chests and case, one negro, and Venture Resail, a Ceylon Indian." Resail was one of the first Asiatics to visit America.[5]

By 1710 the piratical voyages of the colonists to the Eastern seas had ceased, and from this time to 1783 few or no Americans visited those waters. Certain articles of Oriental merchandise, however, continued to find their way to America. From the close of

[4] Charles Johnson, General History of the Pyrates, II, 81–109; W. P. Sheffield, Privateersmen of Newport, 39–40.

[5] W. B. Weeden, Economic and Social History of New England, I, 345–351.

Queen Anne's war until the outbreak of the Revolution, considerable quantities of Chinese tea and chinaware were used by the colonists, coming by way of England, to which country they were imported from Canton, China, by the British East India Company. It was these articles that brought America for the first time into relation with the Far East. Indeed, Chinese tea has a direct connection with the American Revolution, as every one knows—a connection that has led one historian, having in mind the resistance of the colonists to the British tax on tea and the Boston Tea Party, to assert that "in this little Chinese leaf was folded the germ which enlarged into American independence."[6]

At least one American product, ginseng, an article highly prized by the Far Eastern peoples for its medicinal properties, was imported into China by the British East India Company. It is said that this company sent agents to the Northern colonies, who induced the Indians by gifts of money, whiskey, and trinkets to search the woods for ginseng. That illustrious divine, the Reverend Jonathan Edwards, who conducted an Indian school at Stockbridge, Massachusetts, was sorely grieved at the demoralization of his dusky pupils caused by the offers of the agents.[7]

[6] Weeden, II, 539.

[7] William Speer, The Oldest and the Newest Empire, China and the United States, 410–411; W. E. Griffis, Corea, the Hermit Nation, 388–389; David Macpherson, Annals of Commerce, III, 497, 545, 572.

At the time of the American Revolution, the seagoing trade between the Occident and the Orient was in the hands of the chief commercial nations of Europe —Great Britain, the Netherlands, France, Spain, and Portugal. Each of these countries had colonies or trading posts in Southern or Eastern Asia. Great Britain was firmly intrenched in India, with Calcutta, Madras, and Bombay as her chief ports. After the Seven Years' War, France still retained a foothold on the Coromandel coast. Portugal held Goa in India, and Macao in China. Next to the English in the importance of their possessions were the Dutch, whose settlements in the East Indies were strategically located. Their capital was Batavia, situated on the island of Java. The Spanish were firmly established in the Philippines, with Manila as their chief city. In the Far East—China, Korea, and Japan—only three ports were open to the European trade, and one of these, Nagasaki, Japan, to the Dutch only, and to them in a limited way. The other two ports, Macao and Canton, China, carried on a considerable commerce with England, the Netherlands, France and Portugal.

Before the Revolutionary War the longest voyages made by American merchantmen were those to the west coast of Africa, where slaves, ivory, and gold dust were to be had in exchange for New England rum. The acquiring of independence by the thirteen colonies opened up a new field for commerce. Scarcely was the

ink dry on the Treaty of Paris of 1783 before several enterprising merchants of New York and Philadelphia purchased the ship "Empress of China," of three hundred and sixty tons burden, loaded her with four hundred and forty piculs of ginseng and some other articles of commerce, and sent her to Canton for a load of tea and Chinese manufactures. Her captain was John Green, and she carried a "second captain" and a full complement of inferior officers, including two midshipmen. She also carried, as supercargo, a young and gallant Bostonian, fresh from the fields of war, Major Samuel Shaw, late of the Continental artillery, and now entering upon a mercantile career. She sailed from New York on her memorable voyage on February 22, 1784, the anniversary of Washington's birth, and, after touching at the Dutch settlements in Java and the Portuguese port Macao, arrived at Canton on August 28, the only port in the Chinese empire open to foreign ships. Measured on the route sailed by the "Empress of China," the distance from Canton to the Cape of Good Hope was about sixty-seven hundred miles, and to New York about thirteen thousand seven hundred miles.[8]

Eager to increase their trade, the shrewd Chinese

[8] For information respecting the early American commerce to the Orient, see Samuel Shaw's Journals, the Journals of the Continental Congress for 1786–1788, and the American newspapers for 1786–1790.

merchants welcomed their strange visitors. Major Shaw wrote:—

"Ours being the first American ship that had ever visited China, it was sometime before the Chinese could fully comprehend the distinction between Englishmen and us. They styled us as the New People, and when by the map we conveyed to them an idea of the extent of our country, with its present and increasing population, they were not a little pleased at the prospect of so considerable a market for the productions of their own empire."[9]

The "Empress of China" arrived home at New York on May 11, 1785, after an absence of almost a year and three months. The next ship to visit the Orient was the "Grand Turk," Captain Ebenezer West. She sailed from Salem, Massachusetts, for Canton in December, 1785, and arrived home in May, 1787, 65 days from the Cape of Good Hope. On her outward voyage she touched at several ports of India, displaying there for the first time the stars and stripes. In 1786 eight vessels sailed for Eastern ports; the "Leda," of Boston; "Hope," "Empress of China" and "Experiment," of New York; the "Canton," of Philadelphia; the "Chesapeake" and "Betsy," of Baltimore; and the "Hope," of Norfolk. Major Shaw, who in January, 1786, was chosen by Congress to be consul at Canton, the first consular position established in the Orient, gives in his journal the following

[9] Shaw's Journals, 183.

list of shipping at Canton for "the present season, down to the 27th of January, 1787": English ships for Europe, twenty-nine; English country ships for India, twenty-three; Dutch ships, five; Portuguese from Macao, five; Danish, two; Spanish, two; French, one; Swedish, one; and American, five.[10] In 1789, fifteen American vessels visited Canton, four of which belonged to Elias Hasket Derby, the noted Salem shipmaster.[11]

All the chief ports of New England and the Middle States became interested in the Eastern trade. Norfolk, Virginia, sent a ship to Canton as early as 1786.[12] The Carolinas, however, displayed little fondness for exploring the new commercial routes. The wealthy city of Charleston fitted out but a single vessel for the Eastern seas.[13] Of the northern cities, Philadelphia, New York, Boston, and Salem were in the lead. As considerable capital was needed even for a single venture, it was sometimes raised by subscription, as may be seen from the following advertisement, extracted from the Independent Chronicle of Boston for June 23, 1785:—

"Proposals for building and fitting out a ship for the East India trade have been approved of by a con-

[10] Shaw's Journals, 228.

[11] Macpherson's Annals, IV, 195–196; Hunt's Merchant Magazine, XXXVI, 173, 177.

[12] Journals Cont. Cong., Sept. 5, 1786.

[13] David Ramsay, History of South Carolina, II, 239.

siderable number of citizens, who met at Mr. Walter Heyer's in King Street, on Thursday evening last. Several gentlemen are named to receive subscriptions, and this is to give notice that another meeting is appointed on Wedn. evening next, at the same house, when any citizen who wishes to become interested may have an opportunity. A single share is only $300."[14]

Many noted American families laid the foundation of their wealth in the Eastern trade. Among those of Boston and Salem that owned numerous "India ships" were the following: Russell, Derby, Cabot, Thorndike, Barrett, Brown, Perkins, Bryant, Sturgis, Higginson, Shaw, Lloyd, Lee, Preble, Peabody, Mason, Jones, and Gray.[15] In 1787, Providence, Rhode Island, sent out her first vessel, the "General Washington," the property of Messrs. Brown, Francis, and Pintard.[16] Soon Newport, Nantucket, New Bedford, New Haven, and Bristol were added to the list of New England ports trading with the East Indies and the Far East. In 1789 one of Elias Hasket Derby's ships brought home the first cargo of Bombay cotton imported to the United States.[17] In the previous year a Baltimore vessel, the "Chesapeake," showed the American colors in the Ganges for the first time. When this ship arrived at Bengal the local government was in doubt as

[14] Independent Chronicle, June 23, 1785.

[15] W. S. Lindsay, History of Merchant Shipping and Ancient Commerce, III, 7.

[16] G. S. Kimball, East India Trade of Providence, 4.

[17] Hunt's Merchant Magazine, XXXVI, 168.

to how the flag of the new American nation was to be received, and it applied by letter for instructions to the governor-general of the British possessions, Lord Cornwallis, who a few years before had surrendered his army to General Washington at Yorktown, and who on the arrival of the "Chesapeake" was in the interior of India. Cornwallis replied that the American flag was to be received in the same manner as the flags of the most favored nations, since it stood on the same footing with them.[18]

The merchants of Philadelphia invested much capital in the new commerce, and several Revolutionary naval officers and privateersmen commanded East Indiamen —Truxtun, Read, Tingey, Dale, Josiah, and Barry. Read's ship was the Continental frigate "Alliance," at one time commanded by John Paul Jones, and which after the Revolution passed into the possession of Robert Morris, the famous financier of the Revolution. On her first voyage she did not let go an anchor between Philadelphia and Canton, sailing to the eastward of the Dutch East Indies.[19] Another interesting connection between the "Alliance" and the Oriental trade is that in 1789 her builder, William Hasket, built for that trade at Quincy, Massachusetts, the ship

[18] J. T. Scharf, Chronicles of Baltimore, 248; Macpherson's Annals of Commerce, IV, 183.

[19] Macpherson's Annals of Commerce, IV, 176; M. I. J. Griffin, Commodore John Barry, 259; Watson's Annals of Philadelphia, II, 339.

"Massachusetts," of 820 tons burden, the largest vessel up to that time constructed in the United States.[20] In 1791 Stephen Girard of Philadelphia began the construction of a class of beautiful vessels, long the pride of that city, for the Calcutta and China trades. He named four of his ships, respectively, "Montesquieu," "Helvetius," "Voltaire," and "Rousseau," after the French free-thinkers, thus advertising to the world his sympathy with their philosophical and religious dogmas.[21] The first Philadelphia vessel to visit the Orient was the ship "Canton," Captain Thomas Truxtun, who subsequently entered the navy and distinguished himself by fighting the only frigate fights of our naval war with France.

In the last decade of the eighteenth century our Eastern trade gradually increased, and by the time of our naval war with France it had become quite extensive. During this conflict this traffic lay more or less at the mercy of the French ships of war that frequented the East India seas, and in 1800 the frigate "Essex," Captain Edward Preble, was sent to the East Indies to protect it. The "Essex," which was the first American naval vessel to round the Cape of Good Hope, went as far east as the island of Java and the Dutch settlements, and returned home with a convoy of American merchantmen.[22]

[20] Amasa Delano, Narrative of Voyages and Travels, 21–25.

[21] Lindsay's Merchant Shipping, III, 8.

[22] G. H. Preble, First Cruise of the U. S. Frigate Essex, 1–108.

From 1800 to 1812 American merchants did a thriving trade with the East. During the last two years of the War of 1812, however, this traffic was almost abandoned.[23] Toward the close of the war our government decided to protect what little remained and to retaliate by preying upon English commerce in that distant quarter of the globe. Accordingly Commodore Stephen Decatur was ordered to proceed thither with a small fleet. On leaving New York Decatur and his flagship the "President" were captured, and only one of his vessels, the "Peacock," Captain Lewis Warrington, rounded the Cape of Good Hope, but she like the "Essex" turned back after reaching the Dutch settlements.[24] No national vessel had, in the year 1815, visited India, China, Japan or the Philippines, and none had crossed the Pacific.

On the termination of the war with Great Britain in the spring of 1815, the Oriental trade rapidly revived. Within a year and a half forty-two vessels had cleared from Salem for the ports of Asia, and sixteen of them had returned home by way of various ports of Europe and America, at which they had discharged their cargoes of Eastern merchandise. In 1821 Salem had fifty-eight vessels in the Oriental trade. During the eight years immediately preceding the War of 1812 the

[23] J. W. Foster, American Diplomacy in the Orient, 38.

[24] U. S. Naval Institute Proceedings, XXXVI, no. 34, 442–445.

number of American vessels annually visiting Canton was twenty-nine, during the three years of the war six, and during the first five years after the war thirty-nine. By 1820 the commerce of America with China exceeded that of every other Occidental nation, with the exception of Great Britain. The chief products carried to China by American merchantmen were ginseng, opium, quicksilver, lead, iron, copper, steel, sea and land otter skins, seal, fox, and beaver skins, cotton, camlets, sandalwood, and broadcloths. The chief articles imported to America from China were teas, silks, cassia, camphor, rhubarb, sugar, vermilion, and chinaware. On the establishment of the Pacific fur trade, about 1790, China became a great mart for peltries.[25]

To protect our merchantmen from the pirates that frequented the East Indies and to afford our navy an opportunity to exercise and improve its officers and sailors in navigation and seamanship, the navy department in the fall of 1818 ordered the frigate "Congress" to be fitted out for a two years' cruise in the Eastern seas. The "Congress" was a 36-gun ship of 1268 tons burden, carrying 350 officers and seamen. Her captain was John Dandridge Henley, a native of Virginia and a nephew of Mrs. Martha Washington.

[25] K. F. A. Gützlaff, Sketch of Chinese History, app., table 4; Felt's Annals of Salem, 342–347; Speer's Oldest and Newest Empire, 412–415.

He entered the navy as midshipman in 1799, and was made a lieutenant in 1807, a master commandant in 1813, and a captain in 1817. He was one of the officers of the sloop of war "Peacock" when in 1814 she captured the "Epervier," and later he took part in the battle of New Orleans, receiving the commendation of General Andrew Jackson for important services rendered in that fight. His last tour of sea duty was in the West Indies as commander-in-chief of the West India squadron, dying there in 1835.

Henley equipped the "Congress" at Norfolk, and early in 1819 sailed up the Chesapeake to Annapolis to receive on board his ship the newly-appointed American Minister to Brazil. While he was anchored there the secretary of the navy sent him his sailing orders, which were in part as follows:—

"You have been appointed to the command of the United States Frigate 'Congress' to proceed upon important service for the protection of the commerce of the United States in the Indian and China Seas.

"You will receive on board, off Annapolis, the Honorable John Graham and family, and embrace the first favorable wind after they shall embark to proceed to sea, and direct your course to Rio de Janeiro, the Capital of the Portuguese Government in Brazil, where Mr. Graham and family will be landed; on this occasion you will attend to the usual salutes and pay all respect to the Government and authorities of the place, and consistent with the occasion of your visit. Make as short stay as possible at Rio de Janeiro, and after

filling up your water and taking on board such fresh supplies as the country may afford, particularly for the health of the crew, proceed from thence by the most direct route to Canton in China, report your ship there, and after paying respect to the Government of the place, inform yourself of all the American ships in port, and enter into engagement with their commanders and supercargoes to convoy them through the Straits safely, beyond the hostile attacks of the Islanders and pirates, who infest those seas; and then continue to cruise to and from Canton, and in the neighborhood of the Straits of Sunda for the general protection of American ships and property, taking occasion at stated periods to notify the ships and vessels at any of the ports in those seas of your readiness to afford them protection to certain limits as shall appear to you to be necessary for their safety."[26]

As the "Congress" was the first American ship of war to visit China, the coast of Asia and the Philippine Islands, a rather detailed account of her voyage will be given. On May 16, 1819, Henley sailed from Hampton Roads for Rio Janeiro, where he arrived on July 3. After landing his passengers for this port and taking in refreshments, he proceeded on his voyage. On September 2 he made St. Paul's Island in the Indian Ocean and on the 20th entered the Straits of Sunda. On the following day he anchored at Anjer Road, Java, where the Dutch had erected a small fort. Here he remained three days to provision and

[26] Private Letters, 1813–1840, U. S. Navy Dept. Arch., 262.

water his ship. Of provisions, he was able to obtain only rice. Water, he said, could be procured in any quantity at Anjer, "but of the worst quality, and very high in consequence of the immense distance which it is conveyed by an aqueduct erected by the Dutch at considerable expense." From this port Henley proceeded through the Straits of Banca with several American merchantmen under convoy, and on November 3 arrived at Lintin Island, China.

Lintin, or Lintin Island, was some sixty or seventy miles from Canton, and lay at the mouth of Canton Bay, some twenty miles east-northeast of the Portuguese port Macao. All foreign vessels bound to Canton came to anchor at Lintin, where they remained until they procured from the Chinese custom-house near Macao a pilot and a permit to navigate the inner waters. Twenty-five miles from Lintin was the Bogue or Bocca Tigris, the mouth of the Canton (or Tigris) River. Near the Bocca Tigris was Chuenpe, the anchorage for foreign warships, and thirty miles from the Bocca Tigris, up the Canton River, was Whampoa, the anchorage for all foreign merchantmen. Here in the autumn and early winter months was to be seen one of the finest merchant fleets in the world, consisting of some fifty vessels and three thousand seamen. The foreign factories were some ten or twelve miles farther up the river, just outside the walls of Canton. The foreign ships were unloaded at Whampoa, and

their cargoes were transported to the factories by means of Chinese junks.

The chief official in Canton, the capital of the province of Kwang-tung, was the viceroy or governor, who was responsible to the Emperor of China at Peking. Among the lesser officials were the hoppo, or commissioner of customs, and the poochingsze, or treasurer and controller of the civil government. In accordance with the Chinese policy of commercial exclusion and national isolation, the officials at Canton held no direct intercourse with foreigners. A body of merchants, about twelve in number, called the hong or cohong, acted as intermediaries between their government and the citizens and representatives of foreign governments. They were men of large means, owning extensive commercial establishments with numerous warehouses. They had a monopoly of the foreign trade, for which they paid their government large sums of money. They also gave security to their government for the payment of foreign duties and for the good conduct of the "barbarians" or "foreign devils" with whom they traded.

The factories at Canton in which the foreign merchants lived were owned by the hong. They occupied a space about a quarter of a mile square and consisted of a collection of substantial buildings, two stories high, constructed of either granite or brick, having verandas in front supported by pillars. Each

factory consisted of five or more houses, separated by narrow courts. In front of the factories and between them and the river was an esplanade, fifty feet wide, allotted to the merchants for exercising, a recreation that was somewhat interfered with by the crowd of natives that choked up the esplanade—numerous barbers and fortune-tellers, venders of dogs, cats, quack medicines, and trinkets, and a host of sightseers come to gaze at the foreigners. Each factory displayed from a flagstaff erected in front of it on the esplanade the flag of the country of its occupants. Names intended to be more or less indicative of good fortune were given to the several factories. The American factory, for example, was called "the factory of the wide fountains." The foreigners were not permitted to enter the walls of Canton, a city of about a million inhabitants, nor could they reside the whole year at the factories, nor bring their wives there. As soon as the season of trade, lasting from September to March, was closed, they went to Macao, where their families lived.

Each foreign factory and each visiting ship was obliged to procure a compradore, that is a person qualified, according to Chinese custom, to furnish foreigners with provisions and other necessaries. The compradore charged extravagant prices, since to his own large profit he added a considerable sum for his government, which in this way derived an income from each ship, in addition to the regular duties. The trans-

action of business was often impeded by the officials, and the foreigners were subjected to numerous indignities. As the Occidental trade was highly profitable to the Chinese, they were pleased with the arrival of foreign merchantmen. They extended no welcome, however, to foreign ships of war, especially since the year 1816, when the British frigate "Alceste," on being denied permission to anchor at Whampoa, disregarded the orders of the Chinese government and passed up the river, silencing by a few shots a fort and some junks.[27]

The arrival of the "Congress" at Lintin greatly alarmed the Chinese officials, and on learning of it they at once took measures to cause her to depart. Ah, the hoppo of Canton, issued the following order to the hong merchants, who communicated it to the American consul, Benjamin C. Wilcocks, who forwarded it to Captain Henley at Lintin:—

"An official document has been received from the acting Vice Roy to the following effect:

"'On the 21st day of the 9th Moon of the 21st Year of Hea-King, the Tso-tang of Macao, Chow-seiheung, reported that on the 17th instant the Pilot Wang-Mow-

[27] Shaw's Journals, 174–175; J. Yeats, Growth and Vicissitudes of Commerce, III, 537; W. S. W. Rushenberger, A Voyage Round the World, 393–394; W. H. Medhurst, China, 284–288; K. F. A. Gützlaff, Sketch of Chinese History, II, 453; Edmund Roberts, Embassy to the Eastern Courts, 127–130; M. M. Morrison, Memoirs of the Life and Labors of Robert Morrison, II, app., 43; J. F. Davis, China, I, 87.

Chang stated that on the 16th at 6 o'clock in the evening an American Cruiser, Henley, anchored at Ling-ting. On examining the said Captain, he affirmed that a great many of the ships of his country came to Canton to trade; that of late in foreign seas there were crowds of foreign pirates at every port and every pass, waiting to rob merchant ships which went and came; and therefore he had been ordered by his country to cruise every where and collect information, and now having a fair wind he had taken an opportunity to come hither to get information from the merchantmen of his own country, who had come to Canton. He now waited for the orders of the resident Chief Supercargo [Wilcocks], on receiving which he would take his departure. It is my duty to report these circumstances.

"'The number of seamen on board is 350, great guns 50, muskets 300, swords 300, powder 800 cattas, balls 800 cattas.

"'The affair being thus, I [the Tso-tang of Macao] (who hold a mean office) repaired in person in order to restrain and suppress the conduct of this vessel. I also wrote to the naval officer at Heang-Shan, and fled with the utmost expedition by a dispatch to inform the encampment at Cosa-branca and request them to select and appoint officers and men to go forth and keep guard with careful minds and not permit the said vessel to approach the inner waters. I (who hold a mean office) have examined and found out that the head of the soldiers on board the said vessel intends to enter the pass on board an English Company's ship (or an European ship). Since the said cruiser casting anchor at Ling-ting is a very different case from that

of a merchantman and it is inexpedient to allow her to linger about and create disturbance, I therefore most respectfully request that an official communication be made to the Hoppoo that he may order the Hong Merchants to communicate authoritatively an order to the Chief Supercargo of the said country, urging him to give an order to the said cruiser to make haste and take her departure, that she may not linger about many days to create disturbance. The Tung-she of Macao and the Heang-Shan-heen have written to the same effect.

"'On the above coming before me, the acting Vice Roy, it appears that as the said vessel is not a merchantman it is inexpedient to allow her to linger about and create disturbance. I therefore wrote to order the naval officer at Heang-Shan to send officers, men, and police runners to keep a strict watch on the said vessel and not allow her to approach the inner waters, and that she may make haste and take her departure, and go home to her own country; for she will not be allowed to linger about here and create disturbance, without involving herself in great criminality; and let the day of her departure be reported. I also write to the Poo-Ching-sye of Canton, to despatch an order forthwith to all the civil and military officers in the districts concerned to keep (in obedience hereto) a strict watch and guard on the vessel and press her departure. Further, I desire the Hoppoo to examine what is going on and to command the Hong Merchants to transfer an order to the Chief Supercargo of the said nation, to order the said vessel to make haste and take her departure, for she is not permitted to linger about here and create disturbance.'

"On this coming before me, the Hoppoo, I find that the Wee-Yeun of Macao and the Tso-tang both reported to me and that I have already ordered the Hong Merchants to enjoin the said nation's Chief to hasten and order the said cruiser to take her departure as appears on record.

"I now transfer the above order to the Hong Merchants that they may enjoin the Chief of the said nation to order and urge the said cruiser to take her departure speedily and not linger about here to make disturbance. Let them moreover examine into the facts and report to me the appointed day for her departure.

"Let them not oppose a special Edict.—Hea-King Ui Yein; 9th Moon 21st day."[28]

Henley paid no attention to these elaborate orders, knowing that they were harmless formalities, and that similar orders were regularly issued to all ships of war that entered Chinese waters and were regularly disregarded by them. His first object was to obtain refreshments for his ship. The difficulties that he encountered are set forth in his letters from Lintin to the secretary of the navy, from which the following extracts have been made:—

"Mr. Wilcocks, to whom we are indebted for his indefatigable perseverance in endeavoring to obtain for us a friendly reception from the Chinese Government, informs me, thro Mr. Danagh [the purser of the 'Congress'], who was despatched to Canton shortly

[28] Captains' Letters, LXV, 90.

after my arrival at this place for the purpose of procuring supplies, that after a negotiation of several days and mature deliberation on the part of the Chinese Government, they have in violation of all the laws of hospitality refused to grant the ship a Compradore, or person to supply her with provisions; neither will they allow us, with their knowledge or approbation, to obtain them in any other way except on the condition of my assuring them that I would immediately after leave their waters, which proposition the nature of my orders would not admit of my acceding to; nor would I, except under the most distressing circumstances, been willing to have gratified them. In my last I informed you that I was then weighing anchor for the purpose of going up to Cheun Pee, the usual anchorage for ships of war, but upon my being informed by Mr. Wilcocks that the Chinese Government does not acknowledge Cheun Pee as an anchoring place for national vessels, I thought it advisable to return to my former anchorage off Lintin Island with the hope of getting supplied with fresh beef and vegetables from these islands, as we have heretofore done in small quantities.

"The Chinese, naturally of suspicious dispositions, and who from motives of policy have always entertained an aversion to ships of war coming within their territories, have been latterly roused to a greater aversion than formerly in consequence of Captain Maxwell of the British frigate 'Alceste' having fired on their batteries and forced his way up the river to Whampoa, which has induced them to take such measures as to discourage all national vessels from coming within their territories. The British brig 'Bacchus' having

anchored at Cheun Pee with the expectation of getting supplies was surrounded by their armed junks, by which means they cut off all communication with her and would allow her no supplies whatever, in which situation she remained for several days, but getting very short of provisions was finally compelled to leave the country.

"On the 20th of November I received a letter from Mr. Wilcocks (a copy of which I enclose marked No. 5), informing me that there were no hopes of getting the ship regularly supplied and advising my proceeding to Canton in an American merchant ship bound up. Altho I had at that time nearly completed my supply of bread, spirits, etc., I resolved to make another effort to have the 'Congress' put on the same footing and to demand the same hospitality that had been heretofore extended to English armed ships previous to the affair of 'Alceste,' and others. On the evening of the day that I received Mr. Wilcocks letter, I left my ship for Canton in the American ship 'General Hamilton,' where I arrived on the morning of the 23d, and immediately had an interview with the head of the Hong Merchants, Hougua, who appeared extremely anxious to know our business here, the time of our intended departure, etc., etc., notwithstanding he had been repeatedly told by the Consul, and at the same time every assurance given him of the friendly disposition of the American Government, and that the protection of our immense trade was the only object that induced the President of the United States to send the frigate 'Congress' to China.

"I was tantalized with promises of being allowed a Compradore until the 2nd of December when I in-

formed the Hong Merchants that I should address a letter direct to the Hoppoo in violation of their customs. To this they made some objections and requested that the communication might be made through the Consul, which was done on the 3rd of December, a copy of which is enclosed (marked No. 4) together with copies of the different Chops, or orders, received by Mr. Wilcocks relative to the affair; for the translations of which I am indebted to Mr. Meneston, a gentleman who translates for the English East India Company. Since the Consul's communication to the Hoppoo (previous to which I feel convinced there had been no correct information carried within the Walls), they have, without making a reply, relaxed so far in their inhospitable restrictions as to allow the ship a Compradore, for which a Chop was issued on the 7th of December, since which time our supplies have been very regular, and I am happy to observe that the commotion which my arrival in China excited has considerably abated, and I am in hopes to leave them impressed with such a knowledge of the pacific and friendly disposition of my Government towards them as to ensure to our armed vessels hereafter a more hospitable reception."[29]

Having obtained the desired refreshments, Henley, about the middle of January, sailed for Manila, where he arrived after a week's voyage. As the "Congress" was the first American ship of war to visit our future possessions in the East Indies, the following extract from a letter of her captain to the secretary of the

[29] Captains' Letters, LXV, 30, 90.

navy, dated Manila Bay, January 22, 1820, is not without interest:—

"I have met with a very hospitable reception at Manila, one indeed which has far exceeded my most sanguine expectations. The Governor himself [Mariano Fernandez de Folgueras] professes the greatest friendship for us, and has tendered his services to render any assistance which I might stand in need of. Under these circumstances I deemed it a fit season to effect the repairs of my mizzenmast, which I informed you in my last had been found to be very defective. After representing its situation to the Governor and having received his assurances that every facility which a well established navy-yard could afford towards expediting it should be afforded me, I proceeded immediately to set it out and entertain the most flattering expectations of having it stepped again in a very short time."[30]

One of the subordinate officers of the "Congress" has also recorded his impressions of this visit to Manila:—

"Our reception here formed a striking and highly pleasing contrast to the very unfavorable one we had recently met with in the ancient, but uncivilized and inhospitable, country we had so lately left. The manner in which we were received by the Governor was peculiarly gratifying, not only to our national, but to our individual, feelings. The kindest offers of a public nature have been made to Capt. Henley, and the officers have been severally invited and welcomed to his house in the most hospitable manner. His example,

[30] Captains' Letters, LXX, 32.

however, has been followed by very few of the Spanish gentlemen; they, preserving in its fullest extent the proud and reserved character for which they are so noted, keep aloof and pay us little or no attention even in their own houses, where we often go to visit the ladies, whose polite attention amply compensates for the rudeness of the men."[81]

In March Henley returned to Lintin for the purpose of offering convoy to the American merchantmen about to sail for home. In the latter part of April he sailed again and for seventy days cruised in the China Sea and in the neighborhood of the Straits of Banca, Gaspar, and Singapore, but saw nothing worthy of observation. After calling at Manila, he again returned to Lintin, where he arrived on September 9. Renewing its acts of inhospitality, the Chinese government denied him the service of a compradore and refused to issue an order for the transportation to Lintin of stores purchased at Canton. The Viceroy did not deign to reply to a letter from Henley demanding for the "Congress" the same privileges that were granted to British ships of war. Finally, deciding on bolder measures, Henley weighed anchor at Lintin and sailed up the bay to Chuenpe, near the Bocca Tigris. This movement had the desired effect. Greatly alarmed, the hong merchants at once sent down the stores of the ship, and Henley was soon able to complete the preparations for his return voyage.

[81] National Intelligencer (Washington), July 29, 1820.

Before sailing he offered to convoy the American merchantmen in China through the Dutch possessions, but they one and all refused the proffered aid, fearing to incur the hostility of the Chinese government by taking advantage of it. The "Congress" arrived at Hampton Roads on May 29, 1821.

The second American ship of war to visit China and the first to circumnavigate the globe was the "Vincennes," Master-Commandant William B. Finch. She arrived at Macao early in January, 1830, and left there for Manila two or three weeks later, after a party of officers had visited Canton. Finch's stay in Chinese waters was rather uneventful. Its only point of interest relates to our commerce. Soon after his arrival at Macao he addressed a letter to Mr. C. N. Talbot, acting consul of America at Canton and Messrs. J. P. Sturgis, Samuel Russell, J. R. Latimer, and W. H. Low, American merchants, asking for information respecting the trade between the United States and China and the advisability of periodical visits by our warships to Chinese waters. Their reply gives in brief form a statement of our commercial relations with China in 1830:—

"We are fully aware of the kind intentions of the general government in permitting the present visit of your ship to these waters, and feel particularly obliged to you for the communication now under consideration and for the interest it evinces for the prosperity and protection of our trade. Was time allowed pre-

vious to your departure to prepare the documents necessary to reply to your communication as we should wish to do, we have no doubt but what we could exhibit to the satisfaction of yourself and the general government the great advantages to our commerce which would be derived from occasional visits by our vessels of war, attended, as they would be, by increased respect for our national character. We will however briefly observe that the commerce of the United States with China is at present on a favorable footing. We have many local grievances and impositions to complain of, practiced by the local Mandarins in contravention of the known laws of the Empire. These we suffer in common with other nations. [There are] other grievances, delays and impositions peculiar to our flag which are vexatious but of so petty a nature that we have no doubt they would be promptly redressed on remonstrance at any time, if attended with the presence of a vessel of war. Hence we feel no hesitation in assuring you that it is not only our wish to have frequent visits by our national ships, attended as we believe they would be by benefit to the commerce of this port; but that our national character would be elevated in the estimation of the whole Chinese Empire and the neighboring governments, and that especial care would be observed by all not to encroach on our rights, knowing that the power to protect the very valuable commerce of our country was at hand to appeal to, and that the appeal would not be made in vain.

"The American trade from all parts of the world centering in the port of Canton fluctuates in value of imports from five to seven millions of dollars annually,

with like exports. We have one year with another from forty to fifty ships in the port. And it is frequently a source of anxiety and disquietude to us to hear of armed vessels of doubtful character cruising in the tracts of our ships, which from their pacific character are without the means of defence themselves, nor any where to look for that protection so valuable a commerce demands.

"The fact of your visit, brief as it is, will be known throughout China and the whole Indian Archipelago. Should it be followed by those of other armed vessels observing the same deference towards the customs of China, and conciliatory disposition as exhibited by yourself, they will in our opinion increase the respect for our flag, enable us at all times to resist impositions with effect, and have a moral influence on all the inhabitants of the various coasts and islands in the route of our merchant ships.

"The season for visiting China may be left at the pleasure of the general government. Our season of business extends from September to March, which would be the best for obtaining supplies, for the health of the crews, and of importance to the commercial interests. At all times provisions can be obtained by a short delay. And generally the shipping of various nations have an excess of provisions which might be had without any delay. The visits would be most influential if made annually and of short stay in the waters of China, visiting Manila and proceeding through the seas and straits usually frequented by our ships.

"Men of war visiting China are precluded by laws from entering the port. They should not come up

higher than Lintin where there is perfectly good and safe anchorage. In a few days after their arrival is reported licenses are granted and an abundant supply of provisions will be furnished by a licensed compradore. The well known character of American officers will preclude the supposition that any interruption to the trade can arise from their non-compliance with the customs of the country.

"We are decidedly of opinion that the fostering care of the general government for the protection of commerce cannot be extended to one of more importance than the China trade, and that the occasional visits by vessels of war will be attended with the most beneficial results."[32]

After a brief stay at Macao, Finch sailed for Manila and thence for home by way of Cape Town. On June 8, 1830, he arrived at New York, after having circumnavigated the globe—the first commander of the navy to achieve this distinction and the second to visit China.

[32] Captain Finch's Proceedings during his Cruise in the U. S. Sloop-of-War Vincennes, U. S. Navy Dept. Arch., Jan. 14, 1830.

CHAPTER VII

The First American Treaty with China, 1839–1846.

During the decade 1830–1840 American naval vessels visited Lintin or Macao every year or two, but none of them passed the Bogue and entered the inner waters of China. If their officers went to Whampoa or Canton, they disembarked from their own ships and took passage on other vessels for those ports. Our warships were regarded as intruders, and on entering Chinese waters their officers were regularly presented with an official paper commanding them to depart, an order which they as regularly disregarded. Neither officer nor ship had as yet received recognition by the Chinese government. No American warship, or merchantman, unless perchance an opium smuggler or a whaler had been seen along the Chinese coast between Canton and Korea, some two thousand miles in extent.

For many years foreign merchants, chiefly British, though a few were American, had been engaged in the highly profitable opium trade between India and China, notwithstanding the importation of that article was interdicted by the Chinese government. Many Chi-

nese officials, however, connived at the illicit traffic and shared in its profits. It was greatly increased by its being thrown open to all British merchants on the discontinuance in 1834 of the monopoly long enjoyed by the British East India Company. The opium imported into China in 1838 was valued at seventeen million dollars. It was in that year that the Emperor began to take active measures for the suppression of smuggling. He appointed Lin, one of his ablest and most energetic viceroys, high imperial commissioner, and gave him full power to stop the importation, sale and use of the proscribed drug. Lin arrived at Canton on March 9, 1839, and at once demanded that all the opium held by foreigners should be immediately surrendered to him to be burned, and that the foreigners should enter into "bond" assenting to the confiscation of all ships on which opium should be found, together with their cargoes, and to the punishment with death of the companies of all such ships. On March 22 the foreign trade with Canton was stopped, and shortly afterwards the foreigners were deprived of their Chinese servants. A guard was placed around the factories, all the streets (with one exception) were walled in, a double tier of armed boats was stationed in the river, and communication with Whampoa was cut off. Some five or ten thousand Chinese collected in the immediate vicinity of the factories.[1]

[1] For the events leading up to the Opium War, see H. Ex. Doc., 26 Cong., 1 sess., no. 119; and Foster's Am. Dipl. in the Orient, 57–70.

On April 28 the frigate "Columbia," Commodore George C. Read, came to anchor at Macao. Seldom has one of our warships received a more hearty welcome at a foreign port. The timely arrival of Read not only reassured the frightened prisoners at Canton, among whom were the American consul, Mr. P. W. Snow, and several American merchants, but it also allayed the apprehension of the foreigners and native Portuguese at Macao, which place was threatened with capture or destruction. Advised by Snow, Read decided to remain at Macao, ready at any time to protect his countrymen there or at Canton, should violence be offered them. The officers of the fleet much preferred to rescue by force the prisoners at Canton, which, Read declared, "would have been more of an amusement than a trouble to us," to waiting idly in port at Macao. The feelings of the Americans are thus described by Chaplain Fitch W. Taylor:—

"It would be a fête gratifying, I doubt not, to all the officers of our ship, from the highest to the lowest, to force the Bogue, and to demand without delay the Americans now held within their premises at Canton. But the apprehension is, that, as their numbers are comparatively so small, and a mob of a numerous populace are ever so ready to do the bidding of the reckless and the abandoned, our approach might be attended with danger from the rabble at Canton. The authorities themselves have said, all that they have to do for the destruction of those now within their power is, to allow the mob to do their own wishes. And

there may be truth in all this, as there is a general impression among the lower classes of the Chinese at Canton that the foreign factories are filled with the precious metals, and that the plunder were well worth the sacrifice of the heads of the few 'foreign devils' that have the custody of it."[2]

It was fear of a massacre of the imprisoned foreigners that led Captain Charles Elliot, the British superintendent of trade, to yield to the demands of Commissioner Lin and deliver up to him the obnoxious drug—in all, twenty-two thousand two hundred and ninety-one chests, worth about twelve million dollars. This act of Elliot postponed for a few months the conflict between Great Britain and China. On the delivery of the opium, the guard around the factories was removed, the foreigners were liberated, and trade with Canton was reopened. The British merchants, however, under Elliot's direction, left the city and did not resume their trade. The American merchants, on the other hand, remained at Canton, obtained a verbal modification of the "bond" and by July were actively engaged in commerce.

Commodore Read now felt free to depart on his homeward voyage, and resisting the importunities of Consul Snow and the American merchants to prolong his stay, he prepared his squadron to return to the United States. He was much embarrassed by the awkward situation in which he was placed by the re-

[2] F. W. Taylor, The Flag Ship, II, 110–111.

fusal of the Chinese to recognize the authority of foreign naval officers. On one occasion when some Chinese fired most wantonly upon some Manila-men sailing under the American flag and seriously injured them, he urged Consul Snow to demand that the perpetrators of the outrage be delivered up for trial, but the consul refused to act, on the ground that it would be impolitic. Glad to be rid of his embarrassments, Read, on August 6, sailed for the Sandwich Islands.[3]

The destruction of the opium at Canton by Commissioner Lin was regarded by Great Britain as a just cause for war, and accordingly she sent a squadron to China early in 1840 to redress her wrongs. On reaching its destination, the Canton River was blockaded and one of the ports north of Canton was attacked. As these hostile operations jeopardized our commercial interests, the government at Washington decided to send a squadron to China for their protection. Two vessels were prepared for that service—the historic frigate "Constellation," famous for her

[3] For Read's cruise see Letters to Officers of Ships of War, XXV, U. S. Navy Dept. Arch., 204–206; Captains' Letters, November, 1838, 2; December, 1838, 2; January, 1839, 49; February, 1839, 14, 44; April, 1839, 40; May, 1839, 21, 101; June, 1839, 33; July, 1839, 731; August, 1839, 4; J. H. Belcher, Around the World, I, 209–336; II, 5–300; F. W. Taylor, The Flag Ship, I, 164–388; II, 9–254; W. M. Murrell, Cruise of the Frigate Columbia; Chinese Repository (Canton), VII, 599–656; VIII, 1–37, 57–83; and H. Ex. Doc., no. 119, 26 Cong., 1 sess.

early victories under Truxtun, and the ship "Boston." Commodore Lawrence Kearny, a seasoned officer of the old school, was chosen to command them.[4] During the War of 1812 Kearny was employed in protecting the coast of the Southern states, and after that war he was sent to the West Indies and to the Mediterranean to aid in suppressing piracy. In 1861 he was retired as captain, and in 1867 he was promoted to be commodore, dying about a year later, the second oldest officer of the navy.

Kearny's sailing orders were dated November 2, 1840, and were drafted by Secretary of the Navy James K. Paulding. He was directed to protect American interests and citizens on the coast of China, especially during the war between that country and Great Britain. He was to observe the laws of neutrality, and to pay due respect to the peculiar customs of the Chinese. His attention was called to the fact that the foreign and domestic policy of China differed from that of other nations, and he was instructed to avail himself of every opportunity to impress upon the Chinese people and their officials that the one great object of his cruise was "to prevent and punish the smuggling of opium into China either by Americans or by other nations under cover of the American flag."[5]

[4] For Kearny's services in China see East India Squadron Letters, U. S. Navy Dept. Arch., 1841–1844; S. Doc., 29 Cong., 1 sess., no. 139; S. Ex. Doc., 28 Cong., 2 sess., nos. 58, 67.

[5] Letters to Officers of Ships of War, XXX, 44–47.

When Kearny arrived at Macao, on March 22, 1842, almost two years after the beginning of the Opium War, the British fleet was operating chiefly at Shanghai and on the Yangste-kiang, more than a thousand miles north of Canton. The British had captured Amoy, Ning-po, Tinghai and Chinhai, and had obtained possession of Hong Kong, at the mouth of Canton Bay, where they had established a naval rendezvous. They had taken the forts at the Bogue, pushed up the Canton River, and forced Canton to purchase an immunity from attack by the payment of six million dollars. Kearny arrived too late to see much of the war. The blockade at Canton had been raised, the foreign commerce resumed, and the smuggling of opium again permitted.

A few Americans had long found the trade in this proscribed article highly profitable. Indeed the foreign merchants at Canton did not generally consider this traffic disreputable, and many of them at one time or another were connected with it. When Commodore Downes visited Lintin in the "Potomac" in 1832, one of the officers of that frigate reported that a very fine American ship called the "Lintin" was stationed there "to receive and dispose of opium, of which article most of the contraband trade consists."[6] Our

[6] J. N. Reynolds, Voyage of the United States Frigate Potomac, 338; Gützlaff's Sketch of Chinese History, II, app., table 4; F. Brinkley, China, X, 261–262; Roberts' Embassy to the Eastern Courts, 66.

consuls, being generally merchants with commercial interests of their own to subserve, were prone to overlook irregularities committed by their countrymen. Kearny was the first American official to make a vigorous attempt to suppress the traffic. A few days after his arrival he issued the following order addressed to the United States consular officer at Canton:—

"The Hong Kong Gazette of the 24th instant [March, 1842] contains a shipping report, in which is the name of an American vessel engaged in carrying opium; therefore I beg you will cause to be made known with equal publicity, and also to the Chinese authorities by the translation of the same, that the government of the United States does not sanction 'the smuggling of opium' on this coast, under the American flag, in violation of the laws of China. Difficulties arising therefrom in respect to the seizure of any vessel by the Chinese, the claimants certainly will not, under my instructions, find support or any interposition on my part, after the publication of this notice."[7]

This edict of Kearny appeared to the British merchants, who remembered the part played by the Americans in the smuggling trade, especially during the opium difficulties of 1839, as a mere affectation of high professions, and as an attempt to curry favor with the Chinese. The fact that the British were fighting for the interests of our commerce as well as their own,

[7] S. Doc., 29 Cong., 1 sess., no. 139, 7.

made it all the more difficult for them to take a generous view of the edict. Before he left China, Kearny proved to his critics that his government was acting in good faith. In May, 1843, he seized the American schooner "Ariel," a notorious opium smuggler, and tried to capture the "Mazeppa" and several other illicit traffickers. Writing to the secretary of the navy at this time, he said: —

"The American flag is now the only cover for this illicit trade. Sir Henry Pottinger [the British plenipotentiary in China] having issued a proclamation against it; and the English craft having been turned away from the river, has placed the Americans in a peculiarly advantageous position as freighters under the flag of the United States. The British officers have informed me here that their subjects defy them by pointing to the American flag over that contraband article."[8]

Soon after his arrival at Macao in March, 1842, Kearny received several letters from American citizens demanding redress for certain outrages committed on them by the Chinese during the operations of the British near Canton in May and November, 1841. It appeared that one of our merchants, Mr. J. Coolidge, had been seized at his factory and imprisoned at Canton, and that another merchant, Mr. Morse, fearing like treatment, had made his escape to Whampoa, with rather disastrous consequences. Morse left the

[8] S. Doc., 29 Cong., 1 sess., no. 139, 38.

factories with two boats loaded with his property. The boat on which he embarked reached Whampoa without being molested. The second boat was attacked by Chinese soldiers, and one man, named Sherry, was killed, and the rest of the crew wounded. The survivors were captured and imprisoned in Canton. Later another boat's crew was seized and put in prison. After a brief confinement, however, all the Americans were released.

On receiving information of these outrages Kearny decided to go to Whampoa and demand redress. On April 11, he left Macao, sailed past the Bogue, and two days later anchored at Whampoa Reach. Never before had an American ship of war, and very rarely had the national vessels of other nations, thus violated the time-honored sanctity of the inner waters of China. Strange to say Kearny's presence in the river gave no offense to the officials at Canton. On the other hand, they permitted him to disregard the roundabout method of communication hitherto strictly insisted upon, and to send his messages directly to Viceroy Ke, minor guardian of the heir apparent, president of the board of war, member of the censorate, and governor of the provinces Kwangtung and Kwangse.

On April 27 Kearny sent Lieutenant J. G. Reynolds, of the marine corps, to Canton with a letter for Ke, dealing with the outrages committed by the Chinese in 1841. Reynolds delivered this letter to the represen-

tative of the viceroy, the Kwangchauhie, the chief military officer of the department, ranking as colonel. Two days later a Chinese officer of the rank of captain delivered to Kearny on board the "Constellation" the reply of his master. The viceroy was in a remarkably conciliatory mood. He submitted the grievance of the Americans to Kearny for his decision and ordered the Hong merchants to pay the damages fixed by that officer, declaring that the firing upon and seizure of the American boats were the result of a misapprehension. While these differences were being thus amicably adjusted, a boat of the "Constellation" engaged in making soundings was fired upon by one of the Chinese forts. On learning of this additional ground for complaint, Ke explained the action of the fort satisfactorily to Kearny and degraded the officer responsible for it.

In placating the Americans, the viceroy did not hesitate to employ flattery and to overlook unpleasant truths. He referred to Kearny as an officer who "manages affairs with clear understanding, profound wisdom and great justice" and said that American vessels "hitherto engaged in the commerce of Canton have always been confined to the legitimate and honorable trade, and never concerned with the carrying of opium." He gave Kearny a present of bullocks and sheep, receiving in return an atlas and several other articles of Occidental manufacture. When Kearny

visited Canton and was on the point of returning to his ship the viceroy sent one of his officers to pay a parting call and present his compliments. Never before had an American official received such polite attention from the Chinese government. This unusual conduct doubtless resulted from the determination of the government to keep on good terms with all the neutral nations of the Occident. Some weight, too, must be given to the wholesome fear of Western powers aroused by the operations of the British fleet.

On the completion of his mission up the Canton River, Commodore Kearny about the middle of June dropped down to Macao. A month later he went to Hong Kong and exchanged civilities with the British commander there, Rear-Admiral Sir Thomas Cochrane, between whom and the commodore a good understanding existed. It was at Hong Kong that Kearny in September received news that peace had been restored, and that a treaty had been signed on August 29. The Treaty of Nanking, as this epoch-making compact was called, provided for the cession of Hong Kong to the British, the payment by the Chinese of twenty-one million dollars as a war indemnity, the opening to British merchants of Canton, Amoy, Fuchau, Ning-po and Shanghai, residence at these ports of British consuls, the establishment of just and regular tariffs, and the conducting of official correspondence on terms of equality.

Kearny was quick to recognize the great importance of this treaty to the United States, and, on learning its terms, he dispatched Vice-consul Delano to Washington with a copy of it, sent duplicates overland by mail, and ordered the "Boston" to proceed to the west coast of Mexico with triplicates. He did not propose, however, to await the action of the home government. Delaying his return voyage, he set about obtaining for our merchants the same commercial privileges granted by the Treaty of Nanking to the British. "The good understanding which happily exists between the local authorities of Canton and the Americans and with myself," he wrote to the secretary of the navy, "would seem to recommend this time a propitious moment for the United States to enter upon some understanding in regard to commercial privileges with the Chinese. The liberty therefore of undertaking such a measure will, I hope, find excuse even should I fail of success."[9]

These words were written at Macao on October 7, from which place on the following day he thus addressed Viceroy Ke:—

"The address of Commodore Kearny, commander-in-chief of a squadron of United States ships, respectfully represents that he learns with deep interest the high Imperial commissioners deputed to arrange commercial affairs with the British are expected in a

[9] E. I. Squad. Lets., 1841–1844, no. 32.

short time to arrive at Canton, and that a commercial treaty is to be negotiated to operate in favor of 'British merchants' exclusively.

"The undersigned is desirous that the attention of the Imperial government might be called with respect to the commercial interest of the United States, and he hopes the importance of their trade will receive consideration, and their citizens, in that matter, be placed upon the same footing as the merchants of the nation most favored.

"The undersigned does not press this matter at present, but, trusting to the good and friendly understanding which exists, he submits the case, and has the honor to be, your excellency's most obedient servant."[10]

From Macao Kearny went to Canton, where soon after his arrival he received the following favorable reply from the viceroy:—

"Ke, guardian of the young prince, member of the Board of War, member of the Imperial cabinet, and Governor of the two Kwang Provinces, states, in reply to the subject of the 10th of the 9th month (13th October), that I have received your polite communication relating to the English commerce. I, the governor, have ever hitherto treated the merchants of every nation with the same kindness. Moreover, the Americans who have come to Canton have had free commerce, month after month, and year after year. These merchants have been better satisfied with their trade

[10] For the correspondence between Kearny and Ke, see East India Squadron Letters, 1841–1844, nos. 33–52; and S. Doc., 29 Cong., 1 sess., no. 139, 21–36.

than any other nation; and that they have been respectfully observant of the laws, is what the August Emperor has clearly recognized, and I, the governor, also well know. How, then should I not rather, on the cessation of difficulties with the English, wish to show favor to them? Now, I have ordered the Hong merchants, with the said English nation's merchants, to devise beforehand, and to wait the arrival in Canton of the Imperial commissioners, great ministers of state. When I shall have received the newly devised regulations concerning the free trade of the English, then I, the governor, together with the lieutenant-governor and Tartar General, will immediately deliberate upon the proper adjustment of the regulations, and will make a representation to the Emperor that he may hear and direct what shall be done.

"Decidedly it shall not be permitted that the American merchants shall come to have merely a dry stick [that is, their interests shall be attended to]. I, the governor, will not be otherwise disposed than to look up to the heart of the great Emperor in his compassionate regard towards men from afar, that Chinese and foreigners with faith and justice may be mutually united, and forever enjoy reciprocal tranquility, and that it be granted to each of the resident merchants to obtain profit, and to the people to enjoy life and peace, and universally to participate the blessings of great prosperity, striving to have the same mind.

"This is my reply."[11]

As these assurances of the viceroy were quite satisfactory, Kearny made preparations to return home, but

[11] S. Doc., no. 139, 21–22.

finally decided to delay his departure, hoping that an occasion might arise for establishing a good understanding with the officials at Peking. Moreover, the English and Chinese were preparing to open negotiations respecting the new commercial system, and Kearny was of the opinion that the presence of his ship would be beneficial to America, especially should it become necessary "to make demands in favor of equal rights and commercial privileges."[12] Pending the arrival at Canton of the British and Chinese commissioners, he visited Manila, returning to Macao on January 1, 1843. During his absence a Chinese mob attacked the foreign factories at Canton, and destroyed considerable property belonging to the American house of Augustine Heard and Company. To facilitate the settlement of the claims of this company against the Chinese government, Kearny again sailed up the Canton River; and, leaving his ship at Whampoa, went to Canton, and entered into correspondence with Ke, who gave his word that the sum claimed by the Americans should be paid. The most significant part of this correspondence, however, does not refer to these claims, but to the commercial privileges of American merchants. On this subject Governor Ke wrote as follows in a letter dated March 17:—

"On a former occasion, the governor received your honor, the commodore's communication, requesting

[12] S. Doc., no. 139, 24.

him, in his behalf, to 'solicit the favor of the august Emperor to allow the merchants of his honorable nation to trade upon the same terms as those granted to the merchants of other nations,' etc. As in duty bound, the governor having already addressed the Emperor clearly upon the subject, waited the coming of the high commissioners at Canton, where they were in concert to attend to the foreign relations; but the Tartar General, Eleepie, having arrived at this city, but a short time elapsed, when, most unfortunately, on account of disease, he 'went out of office' (i. e., deceased)—so that whatever may be just and equal in the trade of each nation, remains unsettled. It is, therefore, necessary to wait the arrival of his successor; and when some plan is adopted, then a personal interview may be held with your honor, the commodore, and, face to face, the relations between the two countries may be arranged, and the same be reported to the Emperor."[13]

In reply Kearny availed himself of the opportunity presented to say that what the Emperor "grants to the traders from other countries, his own sovereign will demand for his merchants." He assured the viceroy that he would not protect Americans seized by the Imperial cruisers in the act of smuggling opium. Respecting the proposal that the Imperial commissioner and himself should fix the commercial relations between their two countries, he said that the viceroy labored under a misapprehension, for he had not been empowered by his government to make a treaty. "If,

[13] S. Doc., no. 139, 33.

however," he added, "his Imperial majesty will declare his will on this point, my country will no doubt rejoin to it in the same spirit of amity, and straight return an answer, and send a high officer to China, who, in connection with the Imperial commissioner, will deliberate and settle a permanent treaty of lasting peace and friendship. But to commence this good thing, to open this road of mutual benefit, belongs to his Imperial majesty of China."[14]

Kearny's suggestion respecting the negotiation of a treaty was not approved by Ke, who said that such a compact would be contrary to Chinese custom, and would be "an unnecessary and circuitous act." He further said that the tariff of duties fixed for the English would "pass into force in a uniform manner for every country." He was not informed, however, whether the Occidental countries other than England would be permitted to trade with Fu-chau, Ning-po and Shanghai.[15]

Before leaving China, Kearny went to Amoy, the first port north of Canton to be visited by an American warship, and thence sailed for Honolulu on his homeward voyage. He had performed the tasks committed to him with great tact, skill and firmness, and had served his country most efficiently under trying circumstances. "That little squadron," wrote the

[14] S. Doc., no. 139, 33–34.
[15] S. Doc., no. 139, 35.

secretary of the navy of Kearny's command, "had done all that could have been expected of it, and it deserves much credit for its great vigilance and activity and for the prudence and sound discretion with which Commodore Kearny has acquitted himself of the important trusts reposed in him."[16] Three months after Kearny left Amoy the Imperial commissioner issued a proclamation giving to other nations the same commercial privileges granted to Great Britain by the Treaty of Nanking. The monopoly of the Hong merchants now came to an end, many antiquated restrictions on commerce ceased, and a new tariff rate amounting on the average to five per cent. went into effect. For the first time China fully opened her ports and her people to intercourse with the Occident and introduced herself to the family of nations.[17]

The testimony of a member of the British commission then in China may also be quoted: "The Chinese government promised, on the representation of the American commodore, Kearny, previous to the treaty of Nanking, that whatever concessions were made to the English should also be granted to the United States. The throwing open of the ports of China to Europe and America was not therefore the result of our policy, but had its origin in the anxious fore-

[16] Ann. Rept. of Sec. of Navy for 1842, in H. Ex. Doc., 27 Cong., 3 sess., no. 2.

[17] Chinese Repository, XII, 443–444.

thought of the Americans, lest we might stipulate for some exclusive privileges."[18]

While China thus gave freely to all the Western powers the privileges Great Britain had forced from her, several of them, Belgium, Holland, United States, Spain, Prussia, Portugal and France, not knowing of her liberality or unwilling to trust it, hastened to dispatch envoys to treat with her.[19] On learning of the Treaty of Nanking in December, 1842, President Tyler sent a special message to Congress recommending the appointment of a commissioner to China to negotiate commercial arrangements. Congress did not authorize the appointment until March 3, 1843, and on the same day Edward Everett, then minister to England, was chosen commissioner. On his declining the office, President Tyler selected Caleb Cushing, an eminent lawyer, and a member of Congress from Massachusetts.[20]

A little squadron, under the command of Commodore Foxhall A. Parker, was placed at the service of Cushing, consisting of the frigate "Brandywine," famous for her having afforded a passage to Lafayette on his return to France in 1825, the second-class sloop "St. Louis," Commander H. H. Cocke, and the 10-gun

[18] Foster's Am. Dipl. in the Orient, 76.

[19] Brinkley's China, XI, 172.

[20] Richardson's Mess. and Paps. of the Presidents, IV, 213–214; U. S. Stat. L., V, 624; Sen. Ex. Journals, VI, 190, 191, 192, 195, 211, 238, 241, 249, 347, 350, 352, 353.

brig "Perry," Commander S. F. Dupont.[21] Commodore Parker had served in 1814 as a lieutenant on board the sloop "Adams" during her successful cruise after British merchantmen. In 1848–1849 he was sent to Germany on a confidential mission relating to the employment of American naval officers in the German Navy, then being organized. He was retired as captain in 1855, and died two years later.

The "Brandywine" and "St. Louis" were the first ships of the squadron to sail, leaving Hampton Roads on May 23, 1843. Parker gave passage to Elisha K. Kane (afterwards a navy surgeon and noted for his North Polar explorations) and four other young men, attachés of Cushing's mission, whose only duty was to add dignity and importance to it. The "Brandywine," having parted company with her consort, arrived at Bombay on October 24, where she was joined by Fletcher Webster, the son of the secretary of state, and the secretary of the mission, and by Cushing, who, after visiting London and Paris to ascertain the plans and purposes of those governments in their intercourse with China, had taken passage for India by way of Gibraltar. Webster had come out from Boston in the "Antelope," which ship, together with another Boston vessel, the "Zephyr," proceeded to take on cargoes of opium for the China trade. Parker

[21] For Parker's services on the China station see East India Squadron Letters, 1843–1845.

was unable to discover any authority vested in him to stop their illicit trafficking.

On February 24, 1844, the "Brandywine" arrived at Macao, at which place Cushing went ashore and established the headquarters of his mission. He at once entered into correspondence with Ching, acting governor of the two Kwang provinces, residing at Canton, informing him of the powers with which he was vested. He expected to go to Peking, deliver a letter of President Tyler to the Emperor, and there negotiate the treaty. To this plan, however, the Chinese authorities firmly, though courteously, objected, and Cushing was finally induced to accept the procedure proposed by the Emperor, namely, that the treaty should be negotiated at or near Canton, and that the Chinese government should be represented by a high commissioner acting under the Imperial seal.

While Cushing was occupied with these preliminaries, Parker visited Manila, Hong Kong and Whampoa. At Hong Kong the United States had lately established a naval depot and a consulate; the former Parker moved to Macao, which port he regarded as the more convenient location. On arriving at Whampoa, he wrote to Governor Ching offering to exchange a salute of twenty-one guns, to receive the officers of the Chinese government on board the "Brandywine," and to pay a visit of courtesy to the governor at his palace. As the war had been con-

cluded and the fears of the Chinese somewhat allayed, Ching was much less inclined than his predecessor Ke to permit an infraction of Chinese customs. He requested Parker to withdraw immediately out of the Bogue and return to Macao. He politely declined to accept the proffered civilities, ascribing as a reason for his declination the dissimilarity between the rules of etiquette of the Central Kingdom and those of foreign nations. He attributed the breaches of Chinese custom made by the "honorable commodore" to his having never before visited the Central Flowery land, and to his ignorance of its laws. Unable to satisfy the governor, Parker returned to Hong Kong.

On June 16 Kiying, the high commissioner appointed by the Emperor to negotiate with Cushing, accompanied by three distinguished officials, arrived at Casa Branca, a Chinese village adjoining Macao, and on the following day installed himself at Wang Hiya, just outside the walls of Macao, in a temple dedicated to the Lady of Mercy. After a few days had been spent by the commissioners in exchanging visits of courtesy, Cushing being assisted in these formalities by Parker and several of the officers of the squadron, negotiations were opened on the 21st, when the Americans submitted the draft of a treaty. Twelve days later the negotiations were concluded by the signing and sealing of the Treaty of Wang Hiya, by Cushing and Kiying, in the presence of Parker and the attachés of the mission.

The treaty of Wang Hiya is a lengthy and comprehensive document, and contains many provisions not found in the Treaty of Nanking. It provided for the opening of the five treaty ports to Americans for purposes of residence and commerce, for the admission to these ports of American ships of war, and for the protection of shipwrecked sailors and of vessels seeking refuge from storms. The right to appoint consuls at the treaty ports was granted. Citizens of the United States were allowed to erect houses, magazines, churches, cemeteries and hospitals at each of the five ports. A mode of communication with the court of China was established. American citizens who committed crimes in China were to be tried by an American consul or other American functionary.[22]

While Parker was at Macao in the service of Cushing, he received a letter from the American consul at Canton asking for protection from a Chinese mob that had surrounded the American factory there. It appeared that the commotion had its origin in a trespass on the factory grounds committed by the Chinese. When ordered off, they refused to go. Force was used by the Americans, and in a skirmish that ensued,

[22] Foster's Am. Dipl. in the Orient, 71–89; J. M. Callahan, American Relations in the Pacific and the Far East, 86–89; E. I. Squad. Lets., 1843–1845, nos. 31–73; S. Doc., 28 Cong., 2 sess., no. 138; S. Ex. Doc., 28 Cong., 2 sess., nos. 58–67; U. S. Stat. L., VIII, 592–605; U. S. Treat. and Conv. (1910), I, 196–206.

one of the intruders was killed. Parker at once directed a detachment of his men to proceed to Canton, but before it departed he learned that Lieutenant E. G. Tilton, the commander of the "St. Louis," had anticipated his wishes. On arriving at Whampoa, Tilton embarked sixty seamen and marines of the "St. Louis" on board boats and conveyed them to Canton. He found a Chinese mob in possession of the grounds in front of the American factory. The intruders were easily dispersed, order was soon restored, and Tilton shortly returned to Whampoa with his men.[23]

On August 29 (1844), Cushing sailed for the United States on board the "Perry." About the same time the "St. Louis" proceeded on a cruise to the North China ports and visited Chusan, still in possession of the British, and Ning-po, where she attracted much attention as the natives had never before seen an American ship of war. She returned home by way of Australia, Van Dieman's Land and New Zealand, being one of the first American warships to visit those islands. Before the "Brandywine" left Macao on December 2, for Honolulu, Parker received a communication from Kiying containing the information that the ministers of the Chinese Privy Council had sanctioned and the Emperor had approved the treaty. On the eve of his departure the Americans at Canton presented him with a superb and massive service of

[23] E. I. Squad. Lets., 1843–1845, no. 49.

plate in token of their appreciation of his work in behalf of the commercial interests of the United States.[24]

On the approval of the Treaty of Wang Hiya by the President and Senate, Alexander H. Everett, a distinguished American scholar and diplomat, who had been appointed to succeed Cushing as American commissioner to China, received orders to exchange ratifications with the Chinese government. A new squadron, consisting of the ship of the line "Columbus," Captain T. W. Wyman, and sloop of war "Vincennes," Captain Hiram Paulding, both under the command of Commodore James Biddle, a distinguished veteran of the War of 1812, was placed at the service of Everett, who, accompanied with his family, embarked on board the flagship at New York early in June, 1845.[25] Suffering from ill health, Everett on reaching Rio Janeiro decided to abandon his mission and return home, and to transfer to Commodore Biddle his instructions from the state department and his special power to exchange ratifications with the Chinese government. The commodore arrived at Macao within a few days of the expiration of the period fixed for the execution of this formality. He, therefore, went at once to Canton, leaving his ship at

[24] E. I. Squad. Lets., 1843–1845, nos. 62–73.

[25] For Biddle's services on the China station, see E. I. Squad. Lets., 1845–1847.

Cheunpe, near the Bogue, and on December 31, the interesting event took place at Pwantang Puntong, a country seat near Canton. The Chinese were represented by Kiying, the three high officials who assisted him in negotiating the treaty, the prefect of Canton, and a large retinue of inferior officers; and the Americans by Biddle, the principal officers of the "Columbus," Reverends Peter Parker (interpreter) and E. C. Bridgman, Consul P. S. Forbes, and several gentlemen of Canton. After the parties had passed the compliments usual on such occasions, the two ratified treaties were brought forward and were carefully compared. Being found to agree, they were exchanged in due form, Biddle presenting the document ratified by the President and Senate to Kiying, who in turn delivered to Biddle the document ratified by the Emperor; everyone standing during the ceremony. Four copies of a certificate of exchange, previously prepared in both the Chinese and English languages, were then signed and sealed by the commissioners, each of whom retained two copies. After the conclusion of the ceremonies an elaborate Chinese dinner was served in excellent style. Kiying was described by one of the Americans as an exceedingly able and accomplished man, dignified and easy in manner, comparing favorably with "the highest statesmen that can be found in any of the Western courts or cabinets."[26]

As the first treaties with China did not open Peking

[26] Chinese Repository, XIV, 590–591.

to foreigners, Canton became the Chinese capital for purposes of diplomatic intercourse between the empire and Occidental countries. The Emperor sent a high commissioner to reside there, and the representatives of the foreign governments lived there or at the neighboring seaports. Biddle established the American legation at the foreign settlement outside the walls of Canton, over which he presided until April 15, 1846, when he transferred his powers as commissioner to Dr. Peter Parker. During his stay in China he visited Amoy, Chusan, Shanghai and Ning-po, dining at the two latter places with the principal mandarins. He reported that the American trade was considerable at Shanghai, but there was little or none at Ning-po. On July 7 he sailed for Japan, and before the end of the year both ships of his squadron returned home.[27]

On the opening of the five treaty ports, our trade with China and the number of Americans residing in that country gradually increased. About 1840 the number of our merchantmen annually visiting Canton was sixty. In 1849 one hundred and three vessels entered the ports of Canton, Shanghai and Amoy. One-fourth of our trade was with Shanghai. The number of arrivals of American ships in China was one-third that of the British, and with the exception of Great Britain greatly exceeded that of any other foreign nation.[28] Immediately after the Opium War

[27] E. I. Squad. Lets., 1845–1847, nos. 41–58.

[28] Chinese Repository, I, 211; II, 300; XVIII, 303; XIX, 513.

there began to appear in Chinese waters long, trim vessels, whose narrowness of beam, sharp lines, tall masts, large spars and heavy weight of canvas appalled the old salts of the trade. These were the China clipper ships, that greatly reduced the time of voyage between the Occident and the Orient, vying with each other to be the first to deliver the early teas in London and New York. So superior were the first American clippers to their British rivals that they almost monopolized the carrying trade between China and London.[29]

Soon after the Treaty of Wang Hiya went into effect, American consulates were established at Amoy, Fu-chau, and Shanghai. The first American consul at Hong Kong was appointed in 1843. The first American missionaries in China were the Reverends E. C. Bridgman and David Abeel who arrived at Canton in 1830.[30] When the ports to the northward of Canton were opened to foreigners on the termination of the Opium War, American missions were established there, and the number of the missionaries in the treaty ports rapidly increased. The total number of Americans in China, however, was not great. In 1850 it amounted to less than two hundred, some thirteen per cent. of the Occidental population.[31]

[29] Speer's Oldest and Newest Empire, 417–419.

[30] D. MacGillvray, A Century of Protestant Missions in China, 251; W. Dean, History of the Missions among the Chinese, 161.

[31] Chinese Repository, XIV, 3–9; XIX, 3–11.

CHAPTER VIII

Early Voyages to Japan, 1797–1849[1]

About the middle of the sixteenth century, some fifty years after the Europeans began to navigate the Indian Ocean, the Portuguese and Spanish opened up a considerable trade with Japan. They were followed by the Dutch and English, who by the first part of the seventeenth century had almost monopolized the commerce between Japan and the Occident. In the meantime Roman Catholic missionaries had entered the land of the Mikado and were pursuing their calling with their usual zeal. Finally, after welcoming the aggressive Westerners for upwards of a century, Japan entered upon a policy of non-intercourse with them, largely as a result of the strife engendered by the excessive interference of the missionaries. In 1621 she

[1] This chapter is based chiefly on the East India Squadron Letters, 1845–1847, 37, 60–62; 1848–1850, 124–129, 194–263; S. Doc., 32 Cong., 1 sess., no. 59; I. O. Nitobe, The Intercourse between the United States and Japan, 7–37; Chinese Repository, VI, 209–229, 353–380; XV, 172–180; XVIII, 315–332; Logs of the Columbus, Vincennes and Preble, U. S. Navy Dept. Arch.; Proceedings of the United States Naval Institute (Annapolis), XXXI, 555–563; The Independent (New York), LIX, 407–501, 1043–1044; and Charles Nordhoff, Nine Years a Sailor, 194–208.

forbade her citizens to visit foreign countries, and three years later she banished from her domain all Westerners, with the exception of the English and the Dutch. Twenty years later she limited her Western trade to the Dutch, and permitted them to visit only the island of Deshima, near Nagasaki. Here they erected a factory and established a small settlement, which was presided over by a general agent or superintendent. The natives were forbidden to visit the island, and the foreigners were not allowed to cross the small bridge which connected it with Nagasaki. At first the Dutch were granted permission to send eight ships annually to their factory, but in time this number was reduced to two, and finally to one.[2]

During the Napoleonic wars, the Dutch, in order to avoid exposing their own vessels to capture by British cruisers, employed neutral ships to make the annual voyages to Deshima. It was owing to this practice that some of our merchantmen were afforded an opportunity to visit Japan—the first American ships to enter the waters of the Mikado. During the years 1797–1809, the Dutch hired no less than eight American vessels to make voyages from Batavia to Deshima: the "Eliza," of Boston, Captain W. R. Stewart; "Franklin," of Boston, Captain J. Devereux; "Massachusetts," of Boston, Captain W. V. Hutchings;

[2] Nitobe's Intercourse between U. S. and Jap., 8–22; F. O. Adams, History of Japan, I, 69.

"Margaret," of Salem, Captain Samuel Derby; "Samuel Smith," Captain G. Stiles; "Rebecca," Captain J. Deal; "America," Captain Henry Lelar; and "Mount Vernon," Captain J. Davidson. In Japanese waters these ships sailed under the Dutch flag, as otherwise they would not have been permitted to conduct the Dutch trade. The first two voyages were made by the "Eliza" in 1797 and 1798.

The captain of the "Eliza," W. R. Stewart, appears to have been a shrewd Yankee, with a sharp eye for the main chance, for after completing his contract with the Dutch, he sailed in 1803 boldly into Nagasaki, under the American flag, with a cargo purchased in Bengal and Canton. He asked the Japanese permission to trade and to obtain some water and oil. The first request was positively refused, but the second was granted; and, after his wants had been supplied, he was ordered to depart. Four years later another American vessel, the "Eclipse," visited Nagasaki, under circumstances that aroused the suspicion that she came to trade, rather than to obtain refreshments, professedly her object. She too was denied the rights of commerce, and on being furnished with provisions was permitted to continue her voyage. For more than a third of a century immediately succeeding the visit of the "Eclipse," our merchantmen seem to have respected the desire of the Japanese to be left alone.[3]

[3] H. Doeff, Herinneringen uit Japan, 61–62, 153–157; Chinese Repository, X, 162; Essex Institute His. Coll., II, 166–169.

The first American whale ship to enter Japanese waters made its appearance off the coast of Japan in 1820. In the following year some six or seven of these venturesome craft cruised there, and in 1822 more than thirty. It is highly probable that the early whalers sought refreshments on shore or anchored in some sheltered port to escape heavy weather.[4]

In 1837 the American firm of Olyphant and Company, of Canton, made an attempt to induce the Japanese to relax their exclusive commercial policy. It decided to transport to Japan some shipwrecked subjects of the Mikado who had been brought to Macao, and to avail itself of the opportunity thus afforded for producing a favorable impression upon the Japanese government. The expedition was placed in charge of Mr. Charles W. King, an American merchant, and the American ship "Morrison," Captain David Ingersoll, was chosen to make the voyage. For purposes of trade, a small assortment of cloth, adapted to the Japanese taste, was put on board, and several presents illustrative of the American civilization were added. As the object of the voyage was a peaceful one, the guns of the "Morrison" were removed. The expedition first proceeded to Yedo Bay,

[4] A. Starbuck, History of the American Whale Fishery, 96; W. S. Tower, History of the American Whale Industry, 49, 59; J. F. Davis, China during the War and since the Peace, II, 281; C. W. King and G. T. Lay, Claims of Japan and Malaysia upon Christendom, I, 75.

where it was fired on by the batteries on shore, and was not permitted to communicate with the government at Yedo. Thus foiled, it sailed southward to the bay of Kagoshima, and there it met with a similar reception. Forced to abandon its mission, it returned to China with the shipwrecked sailors, who on witnessing the hostile temper of their countrymen preferred not to land.[5]

In 1846 a voyage similar to that of the "Morrison" was made by Captain Mercator Cooper, of the whaler "Manhattan," of Sag Harbor, Long Island. While on a cruise to the whaling regions of the North Pacific, Cooper landed at St. Peter's Island, a few degrees southeast of Japan, and found there eleven shipwrecked Japanese sailors. He offered to convey them to their native land, and they gladly consented to go. On his way thither he rescued eleven more Japanese from a floating wreck. Arriving on the coast of Japan, he sent messengers to inform the Emperor of the object of his visit and of his desire to enter the harbor of Yedo. The Emperor gave him permission to visit the capital, and on his arriving there treated him with much civility, supplying him with wood, water, and provisions, and making him a present of some Japanese crockery, some lacquered ware and a specimen of the Emperor's writing. Cooper and his crew were forbidden to leave their

[5] Chinese Repository, VI, 209–229, 353–380.

ship and were commanded never to come again to Japan. He held several conversations with the governor of Yedo and other officials of rank, and after a stay of four days, having landed the shipwrecked sailors, left the bay.[6]

The first voyages of our merchantmen to Japan preceded by several years the first voyages of our national vessels. The earliest connection between the navy and Japan, if we may accept the authority of De Bow's Review, may be seen from the following item extracted from a copy of this journal for December, 1852: "This [expedition to Japan] has been long in contemplation by our government. Com. Porter, as far back as 1815, addressed a letter to Mr. Monroe [secretary of state] on the subject, and it was then intended to send out Com. Porter with a frigate and two sloops of war, but the plan was defeated." Unfortunately this quotation, so far as it refers to Porter, stands unverified, and there is much doubt whether that officer ever proposed such an expedition.[7]

The first official action of the United States respecting Japan was taken in 1832 when Mr. Edmund Roberts, a ship owner of Portsmouth, New Hampshire, was sent to the East to negotiate treaties with Cochin China, Siam and Muscat. He was instructed to obtain information respecting Japan, the means of

[6] Chinese Repository, XV, 172–180.

[7] DeBow's Review (New Orleans), XIII (1852), 560.

opening communication with that country, and the value of its trade with the Dutch and the Chinese. If he found the prospect favorable, he was "to present himself to the Emperor for the purpose of opening trade." Should the mission be instituted, he was to take passage in a coasting vessel under convoy of the sloop "Peacock," since to make the voyage in a ship of war would subject him to the indignity of having his vessel disarmed, in accordance with Japanese customs. For some reason, he decided not to make the proposed visit.[8]

In 1835, when about to leave Washington on his second embassy to the Orient, Roberts was directed to go to Japan and attempt to open negotiations for a treaty with the Emperor of that country. The entering of some other port than Nagasaki, the Japanese permitting, was recommended, as the Dutch had an establishment there and they might feel themselves interested in thwarting him. In case he obtained a treaty, permission was granted him to give the Japanese presents to the value of ten thousand dollars. He was furnished with a letter from President Jackson addressed to the Emperor and with numerous gifts, including a gold watch with a heavy gold chain eight feet long, a saber, rifle, and shotgun, a pair of pistols, an assortment of broadcloth, some cut glass, a music box, some maps, a set of American coins, prints of Amer-

[8] S. Doc., 32 Cong., 1 sess., no. 59, 63; Moore's International Law Digest, V, 733–734.

ican naval victories, and ten Merino sheep of the finest wool. On the death of Roberts in 1836, soon after reaching Macao, the Japanese mission was abandoned.[9]

The American missionaries and merchants in China early recognized that Japan offered a promising field for their activities, and were greatly interested in the measures proposed for the opening of that country to the outside world. In all probability, they brought their views to the attention of Commissioner Caleb Cushing during his six months stay in China. However that may be, it was inevitable that so sagacious a diplomat as Cushing should, on making a treaty with China, conceive the idea that Japan might be induced to follow the example of her neighboring empire. He communicated his views on this subject to President Polk, who, although believing that the probability of effecting a commercial arrangement with Japan was small, authorized John C. Calhoun, the secretary of state, to transmit to Cushing full powers to treat with the Japanese government. Cushing left China before he received Calhoun's letter, and the duty of undertaking the mission devolved upon Alexander H. Everett, his successor as commissioner to China. As already related, Everett transferred his powers to Commodore James Biddle,[10] who, however, was otherwise

[9] Foster's Am. Dipl. in the Orient, 140–141. See page 211, above.

[10] E. I. Squad. Lets., 1845–1847, no. 37.

authorized to visit Japan, as may be seen from the following extract taken from his sailing orders dated May 22, 1845:—

"You will hold the squadron at the disposal of the Commissioner, for the purpose of conveying him to any part of the coast of China or Japan, which he may have occasion to visit in the execution of his instructions. . . . In an especial manner you will take the utmost care to ascertain if the ports of Japan are accessible. Should the Commissioner incline to make the effort of gaining access there, you will hold your squadron at his disposition for that purpose; and should he decline to do so, you may yourself if you see fit, persevere in the design, yet not in such a manner as to excite a hostile feeling or distrust of the Government of the United States."[11]

Biddle was one of the oldest and most distinguished officers of the navy, his name being seventh on the navy list of 1845. He was a nephew of Captain Nicholas Biddle, who lost his life during the Revolutionary War by the blowing up of his ship, the frigate "Randolph," during an engagement with the British vessel "Yarmouth." Young James entered the navy in 1800. In the war with Tripoli he served as a midshipman on board the "Philadelphia" and was imprisoned at Tripoli on the capture of that vessel. In the War of 1812 he was a lieutenant on the "Wasp" when she captured the "Frolic," and the commander of the

[11] Confidential Letters, U. S. Navy Dept. Arch., I, 126; S. Doc., 32 Cong., 1 sess., no. 59, 59.

"Hornet" when that vessel took the "Penguin," receiving for the latter victory a gold medal from Congress. After the War of 1812 he took possession of the country bordering on the Columbia River in behalf of the United States, and he served as one of the representatives of his government in negotiating its first treaty with Turkey.

Biddle's little squadron consisted of the ship of the line "Columbus," the only vessel of that class to visit the Far East, and the sloop of war "Vincennes," Captain Hiram Paulding, now making her fourth cruise to the Orient. On this voyage the "Columbus" sailed sixty-nine thousand miles, establishing a record for a ship of her class. On her return home she was laid up in ordinary at the Norfolk navy-yard, where she remained until the outbreak of the Civil War when she was scuttled and sunk to prevent her from falling into the hands of the Confederates.

Biddle was occupied several months with duties in China, and the summer of 1846 had arrived before he was ready to visit Japan. On July 7 he sailed with both vessels from the Chusan Islands, near Shanghai, for Yedo, which port he had decided to enter in preference to Nagasaki, where such opposition as the Dutch might offer would have to be encountered.[12] On the 19th on approaching Yedo Bay,

[12] For Biddle's account of his visit to Japan, see S. Doc., 32 Cong., 1 sess., no. 59, 64–66; logs of the U. S. S. Columbus and Vincennes, U. S. Navy Dept. Arch.

he passed several Japanese junks, which gave him a wide berth, and on the following day he entered the bay, carefully picking his course by means of soundings and a lookout. When some twenty-five miles from Yedo, a Japanese officer, accompanied with a Dutch interpreter, boarded the flagship and motioned to the commodore that he had gone far enough. Not wishing to give offense, Biddle anchored at the place pointed out, which was on the south side of the bay, abreast a village. The adjacent country was beautifully green, and appeared to be well cultivated. As soon as Biddle had anchored, he was surrounded by numerous boats, and many Japanese came on board the ships, a freedom that he permitted in order to convince them of his friendship and of his ability to defend himself.

Soon after the officer boarded the "Columbus," he held a conference with the commander-in-chief, concerning which Biddle wrote to the secretary of the navy as follows:—

"He inquired what was my object in coming to Japan, I answered that I came as a friend to ascertain whether Japan had, like China, opened their ports to foreign trade; and if she had, to fix by treaty the conditions on which American vessels should trade with Japan. He requested me to commit this answer to writing, and I gave him a written paper, a copy of which is herewith transmitted. He informed me that any supplies I might require would be furnished by

the government. To my inquiry whether I would be allowed to go on shore, he replied in the negative."[13]

On the morning of he 21st another officer, apparently of higher rank, came on board the flagship, with whom Biddle held a conversation, which he afterwards in a letter to the secretary of the navy described as follows:—

"He stated that foreign ships upon entering a port of Japan always landed their guns, muskets, swords, etc. I told him it was impossible for us to do so, that trading vessels only could be expected to do so, and I assured him that we were peaceably disposed, so long as they were. He informed me that my written paper of the preceding day had been transmitted to the emperor, who was some distance from Yedo, and that an answer would be received in five or six days. I asked him why we were surrounded by boats, and he replied that they might be ready in case we wanted them to tow the ship. This of course was not true; the object of course being to prevent our communicating with the shore. When our boats were sent to sound at some distance from the ship, Japanese boats followed them, without, however, molesting them. During our whole stay these boats continued about the ship. I had on board copies, in Chinese, of the French, English and American treaties with China. I offered these treaties to the Japanese officer, who declined receiving them, saying that he could not receive them without the permission of his emperor. I offered these treaties subsequently to other Japanese

[13] S. Doc. no. 59, 64.

officers, who in like manner declined to receive them."[14]

The Japanese furnished the fleet with wood, water, and provisions, refusing in accordance with their custom to accept remuneration. In watering the ships they at first sent off only small quantities. Annoyed by their procrastination Biddle said to one of the officers that if they did not water the ship properly he would obtain a supply by sending his boats ashore. This threat had the desired effect, bringing forth an abundance of water. Concerning the eatables supplied by the Japanese, Mr. Charles Nordhoff, first-class boy on the "Columbus," wrote thus: "An intimation having been given that some fresh provisions would be highly desirable, two large junks made their appearance from the upper harbor, bringing to us a supply of vegetables of various kinds and several hundred chickens. Among the vegetables were sweet potatoes, egg plants, carrots, and pumpkins. There was also a quantity of small green apples, the first we had seen since leaving home."[15]

On the 25th Biddle, not having received an answer to the paper sent on shore five days previous, expressed his surprise to one of the Japanese officers at the delay, and requested him to inform the governor of Yedo that he wished an answer as early as possible.

[14] S. Doc., no. 59, 64–65.
[15] C. Nordhoff, Nine Years a Sailor, 205.

On the 27th an officer, accompanied with a suite of eight persons, approached the flagship in a junk, bringing the reply of the Emperor, and asked the commander-in-chief to come aboard the junk and receive it. An unfortunate occurrence now took place, which rather reflects upon the discretion of Biddle, as may be seen from his own account:—

"I refused, and informed the interpreter that the officer must deliver on board this ship any letter that had been entrusted to him for me. To this the officer assented, but added, that my letter having been delivered on board the American ship, he thought the emperor's letter should be delivered on board the Japanese vessel. As the Japanese officer, though attaching importance to his own proposal, had withdrawn it as soon as I objected to it, I concluded that it might be well for me to gratify him, and I informed the interpreter that I would go on board the junk and there receive the letter. The interpreter then went on board the junk. In an hour afterwards I went alongside the junk in the ship's boat, in my uniform; at the moment that I was stepping on board, a Japanese on the deck of the junk gave me a blow or push, which threw me back into the boat. I immediately called to the interpreter to have the man seized, and then returned to the ship. I was followed on board by the interpreter and a number of Japanese officers. They all expressed the greatest concern at what had occurred, stated that the offender was a common soldier on board, and assured me that he should be punished severely. They asked in what manner I wished him punished and I replied 'accord-

ing to the laws of Japan.' I stated that the officers were greatly to blame as they ought to have been on deck to receive me. They declared that they had not expected me alongside, and I was subsequently convinced that, owing to bad interpretation, they believed my final decision had been that they were to come to the ship. I was careful to impress upon all the enormity of the outrage that had been committed, and how much they owed to my forbearance. They manifested great anxiety and apprehension, and endeavored in every way to appease me. In the course of the day, the governor of Yedo sent an officer to inform me that the man should be severely punished, and that he hoped that I would not think too seriously of the affair. The conduct of the man is inexplicable, especially as all the Japanese in and about the ship had evinced great good nature in all their intercourse with us."[16]

The delivery of the Emperor's letter was finally made on board the "Columbus" by the Japanese officer, who was accompanied by the Dutch interpreter and his suite. The letter was without address, date, signature, or seal. These omissions indicated not so much disrespect for the Americans as an unwillingness to have official intercourse with them and a desire to discourage their return. The letter was partly written in Chinese, and partly in Japanese, in accordance with the reputed usage of Japan. It was enclosed in a cover upon which were the words "ex-

[16] S. Doc., no. 59, 65–66.

planatory edict," a term applicable only to an act of the Emperor. As translated by the American legation at Canton, it read as follows: —

"The object of this communication is to explain the reasons why we refuse to trade with foreigners who come to this country across the ocean for that purpose.

"This has been the habit of our nation from time immemorial. In all cases of a similar kind that have occurred we have positively refused to trade. Foreigners have come to us from various quarters, but have always been received in the same way. In taking this course with regard to you, we only pursue our accustomed policy. We can make no distinction between different foreign nations—we treat them all alike; and you, as Americans, must receive the same answer with the rest. It will be of no use to renew the attempt, as all applications of the kind, however numerous they may be, will be steadily rejected.

"We are aware that our customs are in this respect different from those of some other countries, but every nation has a right to manage its affairs in its own way.

"The trade carried on with the Dutch at Nangasacki is not to be regarded as furnishing a precedent for trade with other foreign nations. The place is one of few inhabitants and very little business, and the whole affair is of no importance.

"In conclusion we have to say that the emperor positively refuses the permission you desire. He earnestly advises you to depart immediately, and to consult your own safety by not appearing again upon our coast."[17]

[17] S. Doc., no. 59, 68.

When the substance of this admirably plain, clear, and dignified statement of Japanese custom and polity had been translated to Biddle by the Dutch interpreter, he said to the officer that the United States wished to make a treaty with Japan, but not unless Japan also wished a treaty; that he came to Yedo for information on this subject; and that, having ascertained that the Japanese were not yet prepared to open their ports to foreign trade, he should sail on the following day. The officer asked Biddle to commit his answer to writing, a request that was readily granted.

On the morning of July 29 after an interesting stay of ten days in Yedo Bay, during which time hundreds of Japanese visited the "Columbus" and "Vincennes," Biddle ordered the anchors to be weighed. To hasten his departure, several hundred native boats, the wind being light, towed the ships out to sea. He left the Japanese rejoicing at having rid themselves so easily of their unwelcome guests. The "Vincennes" returned to China, and the "Columbus" proceeded to the west coast of America, which she reached in time to participate in the Mexican War.

Mr. Alexander H. Everett, the American commissioner to China, was of the opinion that Biddle's attempt to open negotiations with the Japanese "placed the subject in a rather less favorable position than that in which it stood before." Another eminent authority, Commodore Stephen B. Luce, a midshipman on the

"Columbus," takes the view that Biddle's courteous and conciliatory bearing toward the Japanese predisposed them to look with favor upon those Americans who subsequently visited their country. The statements of both Everett and Luce may be in a measure correct. In consenting to go aboard the junk, Biddle was evidently indiscrete, and the incident was used by the natives to discredit the Americans. On the other hand, the presence of an armed fleet in the bay of Yedo and Biddle's amicable and judicious relations with the Japanese officials gave them a favorable impression of the strength, candor, and justice of the great Western republic. Biddle must be awarded the distinction that attaches to the pioneer, for he was the first American naval officer to anchor a fleet in the waters of Japan, to hold intercourse with the officials of that country, and to acquire a first-hand knowledge of its people and customs. Those who came after him had the advantage of his experience.[18]

After Everett's return home from Rio Janeiro in 1845, his health improved, and in the following year he went to China and entered upon his duties as commissioner. He was again granted power to negotiate a treaty with Japan, but died before an opportunity for exercising it presented itself. During the term of office of his successor, Mr. John W. Davis,

[18] S. Doc., no. 59, 15, 19, 69; Proc. U. S. Naval Inst., XXXI, 557.

an occasion arose for sending a national vessel to that country. Davis, on being notified by the consul of the Netherlands at Canton, on the authority of the Dutch superintendent at Deshima, that fifteen American sailors were imprisoned at Nagasaki, advised Commodore David Geisinger, the commander-in-chief of the East India squadron, to send a vessel to Japan to obtain the release of the prisoners. Accordingly, on January 31, 1849, Geisinger ordered the national ship "Preble," Commander James Glynn, to proceed at once to Nagasaki and demand the surrender of the fifteen sailors and of any other Americans confined in Japan.[19] In case he failed at Nagasaki, Glynn was to go to Yedo and communicate with the Imperial court respecting the sailors. He was directed to be "conciliatory, but firm," and to pay due respect to the Japanese laws and customs.

Glynn's voyage to Japan was the chief event of his naval career, which otherwise was not especially notable. He entered the navy from Virginia in 1815, and reached the grade of lieutenant in 1825, commander in 1841, and captain in 1855. In 1861 he was retired as captain, and four years before his death in 1871, he was promoted to be commodore on the retired list. In February, 1848, he took command of the "Preble" at Callao, and in May sailed from San

[19] For the principal documents relating to the voyage of the Preble, see S. Doc., 32 Cong., 1 sess., no. 59, 2–63.

Blas for Macao, with Commodore Geisinger on board. The "Preble" was rated as a 16-gun sloop, and on her voyage to Japan carried one hundred and forty-one men.

The sailors, whose release Glynn was ordered to obtain, had belonged to the American whaler "Lagoda," Captain John Brown, of New Bedford. In June 1848, they deserted their vessel on the northwest coast of Japan, and after cruising along the shore several days, were arrested by some Japanese officers and taken to Matsumai, where they were imprisoned. Thence in accordance with Japanese law they were conducted to Nagasaki and confined there. They were suspected by the Japanese of being spies, and their repeated and often successful attempts to break jail confirmed the suspicion. During their imprisonment, which was somewhat rigorous, one of them hanged himself, and another died of fever. Mr. J. H. Levyssohn, the superintendent of the Dutch factory at Deshima, interested himself in the unfortunate men, relieving their most urgent wants and communicating a statement of their case to the Dutch consul at Canton. Five of the men were Americans, and ten Sandwich Islanders.

The "Preble" sailed from Hong Kong on February 12, 1849, but was obliged soon to return to port owing to the appearance of small pox on board, and did not again go to sea until March 22. After calling

at the Lu-chu Islands where she spent three days, she finally on April 17 made land near Nagasaki. On the following day, having anchored some distance from town, she was boarded by a Japanese officer, Moreama, accompanied with eight "assistants." Moreama spoke English, and at once conferred with Glynn, who assumed a tone and manner that he maintained uniformly throughout his stay. Believing that Biddle's dealings with the Japanese had been too kindly and conciliatory, he decided to try the efficacy of rigorous firmness, cool assurance, and a severity of demeanor. When Moreama asked, "With all respect, may I be informed of your object in coming to Japan," Glynn evaded the question, saying that he came on important business with the government. To Moreama's next question, "Did you receive a paper?" Glynn replied: "No; one of your boats came alongside, and threw on the deck of this ship a bamboo stick, in which was stuck a paper. If this paper was intended for me, it was not the proper manner to communicate with me and I ordered it to be immediately thrown overboard. I am ready to receive all communications which come to me in a proper and respectful manner." Moreama said that his purpose in boarding the ship was to acquaint its commander with the proper anchorage, which he pointed out on a chart. Glynn now raised objections, saying that his present anchorage and the

one pointed out were unsafe, that in order to secure his ship in case of heavy weather it was necessary for him to anchor her inside the harbor, and that he intended, on the departure of his visitors, to get under way and stand in. After parleying over the point for a time, Moreama yielded it, and the "Preble" was anchored in the harbor, abreast the island of Happenberg, below the town and the Dutch factory, with which places communication was by boat.[20]

At Nagasaki the arrival of Glynn caused great commotion. Some six thousand troops were assembled there, the forts of the town were strengthened with recruits, and a cordon of boats was placed around the "Preble" to prevent communication with the natives. Forbidden to visit the strange vessel in the harbor, the Japanese used the battlements of Nagasaki as a vantage-point from which to view her. Not the least excited of those on shore were the American prisoners, whose spirits revived at the prospect of release.

Soon after the ship reached her anchorage near the island of Happenberg, she was boarded by a "high military chief," Serai Tatsnosen, who was accompanied with Moreama as interpreter. After ascertaining that the visitor's rank and credentials were satisfactory Glynn entered into conversation with him, answering his questions respecting the purpose of the mission and the character of the ship. The visitor also had some

[20] S. Doc., no. 59, 28–29.

interesting information to impart, namely that an American of whom Glynn had had no previous knowledge was confined at Nagasaki, and that two of the "Lagoda's" sailors were dead. He offered to furnish gratuitously any refreshments of which the "Preble" stood in need, but Glynn refused to accept them unless permitted to pay for them, which permission was refused.

On the 19th a second high military chief, Matsmora Schal, visited the American commander to present the compliments of the governor of Nagasaki and that official's congratulations on the safe arrival of the "Preble." After answering the visitor's questions respecting the objects of the voyage of the "Preble," her dimensions, the age of her commander, and the size of the American navy, Glynn presented him with a letter for the governor requesting the release of the prisoners. On the 22d Matsmora Schal returned to say that the governor had received the letter. Glynn asked him when an answer was to be expected and whether the men were to be given up, but was unable to obtain a satisfactory reply. On the same day a message was received from Levyssohn stating that the governor had requested him to translate Glynn's letter; that he had intimated to the governor the necessity of releasing the men; and that, impressed with the fact that the governor could not legally act on their case without a special order from the Emperor at Yedo, he

had proposed that the men be delivered to him at the factory to be conveyed thence to the "Preble."

On the 23d Serai Tatsnosen returned to the ship, and an interview took place in which Glynn spoke with unusual candor and brusqueness. His speech had also a note of Occidental conceit and superiority, such as has often marked the intercourse of the Western peoples with those of the East. It was evidently intended to operate upon the fears of the Japanese. Glynn thus describes the dialogue between himself and his visitor:

"Chief to Commander Glynn.—I am happy to see you, sir. The shipwrecked Americans, as I stated to you in my conference of the 18th are in Nangasacki. I have come today to say that Mr. Levyssohn called upon the governor of Nangasacki in relation to the demand contained in your letter to the governor for the release of your countrymen. Mr. Levyssohn begged the governor to set aside the usages of Japan, which must (if the governor insisted upon them) keep the Americans here until a period of thirty-five or forty days should elapse, and to give the men to the officer who had been sent for them; that he (Mr. L.) would take the men and deliver them to the commander of the 'Preble,' etc., etc. I have come to tell you that day after tomorrow Mr. L. will call and see you on board your ship.

"Answer.—Sir, I am obliged to you for your politeness, and hope you are well. I have heard what you have said. I am displeased at it. I cannot stay here from day to day under such pretences. I have other

duties to perform, and it is necessary my business should be dispatched quickly. You say that Mr. Levyssohn has 'begged the governor," etc., etc. I, too, beg that my shipwrecked countrymen should be restored to their homes. But understand me, I came here to treat with your governor, not with Mr. Levyssohn, or any other individual. I am under positive orders to demand from the governor of Nangasacki the release of the Americans in his hands. I want to know decisively if I am to get the men. I want the chief to reply to my question.

"Chief.—This cannot be. Why not stay a few days? You will get the men, I think.

"Question by Commander Glynn.—Do you say that I can get the men day after tomorrow?

"Answer.—No; not day after tomorrow. The day after tomorrow Mr. Levyssohn will come and see you on this business, and afterwards, I cannot say how long, I think you will get your sailors. Mr. Levyssohn will send you a letter today.

"Question.—Well, your answer is very far from satisfying me. It is necessary for me to see Mr. Levyssohn. Then I will go now, and call on him at Decima.

"Answer.—You cannot, for he is sick.

"Question (to the interpreter).—Is it necessary for the governor to get permission from the Emperor before giving up the men?

"Answer.—Yes.

"Commander Glynn to the interpreter,—'Yes.' Well, that is enough for me to hear.

"Interpreter.—But stop; pray hear me. What do you do so for (alluding to the gestures of Commander Glynn)? It is not good, it is not Japanese custom.

"Commander Glynn.—Well, it is my custom. It is the custom of my country, under such circumstances; and if it is necessary to send to the Emperor before giving me these shipwrecked men, I cannot stay here. My government knows very well how to recover its citizens. You need not point to your chief. I am as great as he is. You must look me in the face when speaking to me. So far as I am concerned, this matter is settled. You need say no more. I do not know any one in this business except the governor. I know no other person; nor do my orders require that I should speak to any one but the governor. If you will promise that on the day after tomorrow the men will be given up, then I will stay. If this promise cannot be given, then I have no farther business here; my errand is at an end. I will get under way today—yes, in five minutes—and report to my government that you decline complying with my demand for the reslease of the men.

"Answer (with much trepidation).—Mr. Levyssohn will call on you in two days. I will do all I can, and exert my influence with the governor to give you the men soon. 'I think' you may expect it, and—

"Commander Glynn.—Stop! Your policy is very apparent. Now, I do not want to know what you 'think'; you have had ample time, certainly, to think. I can think also. I have thought a great deal. It is time that matters should come to a crisis—that something definite was arrived at. I have been here five days—a time full enough for the governor to have come to some determination, and to have sent me a reply to my letter. You put me off from day to day on the merest pretences, and up to this moment you refuse

to let me know if my demands are to be denied or not. I want a 'positive promise' as to whether I am to get the men or not. Under such a promise I will give two days; more I must not, cannot give. Will you give me this promise?

"Answer.—I cannot promise. I think after you have seen Mr. Levyssohn, you will get the men soon.

"Commander Glynn.—I understand very well the meaning of this delay, nearly as well as you do. I think I will go to the governor myself, and there can be no better time than today. Can I see him?

"Answer.—No; you cannot go to the governor. I will tell the governor and do all I can to have your business finished. In two days you cannot get the men—in three days, I think. Day after tomorrow Mr. Levyssohn will speak to you. He has talked with the governor about it.

"Commander Glynn.—It is useless to talk to me in this manner. I want no prevarication. I want a straight up and down answer. I have already waited five days—four days too long; and now I want to know something more than 'I think.' You give a direct reply to my question, and I will do the thinking. I will stay three days—certainly no longer—but you must promise me now that in three days you will deliver up the men. Do you promise?

"Answer.—Yes; in three days you shall get possession of the men—I mean the day after the second day from now.

"Commander Glynn.—Very good (offering his hand to the chief, who took it). I rely upon your word—upon the solemn promise of a Japanese chief. I place

full confidence in your honor. I believe that you will fulfil your promise.

"During the whole of this conference, there was a constant reference by the interpreter to the principal chief, 'Tatsnosen,' and his associates. The conference ended, the chief walked around the ship, inspected the crew at general quarters, etc."[21]

From the speeches of the Japanese official, it is evident that the governor had accepted the suggestion of Levyssohn. On the 25th the Dutch superintendent, being still sick, sent his representative to the ship to present Glynn with an official account of the confinement of the prisoners. This was much more favorable to the Japanese than the account given by the prisoners, who claimed to have been harshly treated. On the following day a high military chief, Hagewara Matasak, appeared on board the "Preble," chiefly for the purpose of making this brief speech to Glynn: "Today you will get your countrymen. After they come on board your ship, it is the verbal order of the governor for you to go away." Levyssohn's representative and another Dutchman from Deshima next arrived, and they presented Glynn with some papers from the Japanese government. Shortly after they left, a boat flying the Dutch flag came alongside the "Preble" and delivered fourteen sailors—thirteen of them from the "Lagoda," and one, Ranald McDonald,

[21] S. Doc., no. 59, 35–37.

from the American whaler "Plymouth," of Sag Harbor. Desirous of obtaining a knowledge of the Japanese, McDonald had, at his own request, been set adrift in a boat on the coast of Japan, and, after an experience similar to that of the deserters of the "Lagoda," was taken to Nagasaki.[22]

On the morning of the 27th the "Preble" sailed for Shanghai, where she arrived six days later. Notwithstanding the signal success of Glynn's mission, he seems to have received no marks of official favor or appreciation. Some credit for its success doubtless belongs to Levyssohn, who well merited the thanks tendered him by Glynn. The visit of the "Preble" to Japan marked a distinct advance in our intercourse with that country. While the "Manhattan" had returned some Japanese to their native land, the "Preble" had performed the much more difficult task of obtaining the release of Americans confined in Japan.

[22] S. Doc., no. 59, 49–57.

CHAPTER IX

The First American Treaty with Japan, 1851–1854[1]

The philosophical historian, powerless to predict with accuracy before the event, but wonderfully wise with explanations after it, is likely to discover numerous "causes" of the opening of Japan. He finds the times ripe for loosening the fetters that bound that country to an obsolete policy, and the circumstances unmistakably pointing toward America as the country destined to achieve the great work. Thus, a young Japanese author, schooled in the historical method of an Occidental university, enumerates the following as causes leading to the inception of the American expedition: on the one hand, the safety of American whalers on the coast of Japan, the rise of industrial and com-

[1] This chapter is based chiefly on the East India Squadron Letters, 1851–1855; S. Doc., 32 Cong., 1 sess., no. 59, pp. 57–62, 73–82; 33 Cong., 2 sess., no. 34; American Historical Record, III, 148–149, 294–296; F. L. Hawks, Narrative of the Expedition of an American Squadron to the China Seas and Japan, Vol. I; J. W. Spalding, Japan and Around the World, 101–344; Bayard Taylor, A Visit to India, China, and Japan, 360–465; I. O. Nitobe, The Intercourse between the United States and Japan, 38–54; and W. E. Griffis, Matthew Calbraith Perry, 281–374.

mercial commonwealths on the Pacific, the discovery of gold in California, the increasing trade with China, the development of steam navigation necessitating coaling depots and ports for shelter, the opening of highways across the Isthmus of Central America, the missionary enterprises on the Asiatic continent, and the rise of the Hawaiian Islands; and on the other hand, the knowledge of foreign nations among the ruling classes of Japan, the news of the British victory in China, the progress of European settlements in the Pacific, the dissemination of Western science among a progressive class of Japanese scholars, and the advice of the Dutch government to discontinue the antiquated policy of exclusion.[2] These are undoubtedly pertinent facts, and from them it may be seen that the opening of Japan by the United States, like every other historical happening, bears a definite relation to certain antecedent conditions; but they by no means prove that the event flowed irresistibly out of those conditions. Had Great Britain, and not the United States, opened Japan, the philosophical historian would have discovered in that fact no reason for astonishment, but on the other hand he would possibly have explained it as the inevitable effect of numerous causes, such as the gradual extension of British influence in the Far East, the predominance of Great Britain in Oriental commerce, her opening of China in 1842, her several at-

[2] Nitobe's Intercourse between the U. S. and Jap., 38–39.

tempts to open Japan, her surveys of Japanese waters, and the need of protection for her shipwrecked seamen cast away in Japan.

For a writer who is somewhat skeptical of the probative value of historical causes, it will not be necessary to go far afield in explaining the decision of the American government in 1851 to make another attempt to establish commercial relations with Japan. On January 6 of that year Mr. Aaron H. Palmer, of Washington, wrote a letter to President Fillmore, in which he recommended the sending of a mission to Japan, entrusted to a special commissioner and supported by an imposing squadron. Fillmore referred this letter to his secretary of state, Daniel Webster, with whom Palmer several times conferred respecting his proposal. In January, 1851, the "Preble" arrived at New York, and Commander Glynn shortly went to Washington, where he doubtless laid before the government the details of his cruise and urged upon it the need of the United States for a coaling depot in Japan, a project he strongly favored. In June, under orders from the President, Glynn prepared a statement of his views respecting the opening of Japan.[3]

Early in May Commodore J. H. Aulick, who had been selected to take command of the East India

[3] A. H. Palmer, Documents and Facts Illustrating the Origin of the Mission to Japan, 18–20; S. Doc., 32 Cong., 1 sess., no. 59, 57–62, 74–78, 82–87.

squadron, and who was then preparing his flagship, the "Susquehanna," for a voyage to China, proposed to Secretary Webster that the returning to their native land of several Japanese sailors who had been picked up at sea and had been brought to San Francisco might afford a favorable opportunity for establishing commercial relations with Japan. Webster was favorably impressed with Aulick's proposal, and he at once brought it to the attention of President Fillmore, who, after discussing it with his cabinet, decided to establish a mission to Japan, to entrust it to Aulick as an envoy of the United States, and to empower him to negotiate a treaty with the Japanese government. In a letter from Fillmore to the Emperor, dated May 10, 1851, the objects of the proposed negotiations were stated to be the establishment of friendly commercial intercourse and the obtaining of a coaling depot. A letter of credence from Fillmore to Aulick was dated May 30, and Aulick's instructions from Webster bore the date of June 10. These latter he probably did not receive until he reached his station, since he sailed from Old Point Comfort on June 8.[4]

As Aulick had suggested the mission, and as he had previously visited the Far East, his appointment to negotiate a treaty with Japan was a most fitting one.

[4] G. L. Davis, Origin of the Japan Expedition, 7–14; American Historical Record, III, 148–149, 294–297; Executive Letters, U. S. Navy Dept. Arch., January–May, 1851, 123.

His squadron was composed of three vessels, the flagship "Susquehanna," Captain William Inman, and the sloops of war "Plymouth," Commander John Kelly, and "Saratoga," Commander W. S. Walker. The "Susquehanna" was a steam frigate, bark-rigged, and was the first American steam vessel of war to visit the Orient. Secretary of the Navy Graham regarded this small fleet as quite sufficient for the performance of the duties entrusted to Aulick. To the secretary the expedition to Japan was merely incidental to the regular work of the squadron and no special preparations for it were made. On the outward voyage Aulick conveyed several distinguished passengers to Rio Janeiro, namely, the Chevalier S. de Macedo, minister of Brazil to the United States; Mr. Robert C. Schenck, United States minister to Brazil; and Mr. J. S. Pendleton, chargé d'affaires to the Argentine Republic.

Unfortunately for the Commodore, and mainly as a result of his irascibility, some unpleasant incidents occurred on the voyage to Rio Janeiro and after reaching that city. He and his captain quarreled over their respective duties on shipboard, and so serious were their differences that each wrote to the secretary of the navy making charges against the other. Aulick asked the secretary either to detach Inman or to allow him a commander, adding that if neither of these requests could be granted, he wished to be relieved from his

command at the earliest day consistent with the good of the service. Greatly incensed at the quarrelling officers, the secretary sharply reproved both of them, using these words in a letter to Inman: "Were it not that the public interests might suffer by the recall of the 'Susquehanna,' the Department would not hesitate to order her return for the purpose of relieving the two senior officers as wholly disqualified, under the temper which they have evinced, to carry out any important instructions of their government."[5]

During the voyage to Rio Janeiro, Minister Schenck discovered, or thought he discovered, certain facts gravely reflecting upon the conduct of Aulick, and he therefore wrote to the state department making a "painful and mortifying" disclosure respecting that officer. He charged him with allowing Minister Macedo to make the passage to Rio Janeiro under the impression that he was being entertained at the expense of the commander-in-chief, when as a matter of fact the United States government was paying for his entertainment. The whole affair was trivial, and should never have been made the subject of a communication to the state department. Schenck's charges reached Secretary Webster about the middle of November, 1851, and he at once forwarded them to Secretary Graham, who on the 17th of that month wrote to Aulick asking for an explanation. On the following

[5] Confidential Letters, U. S. Navy Dept. Arch., II, 257.

day, as the President had in the meantime decided to remove Aulick from his command "in order to satisfy Brazil," Graham wrote again, directing him to remain at Hong Kong or Macao until his successor as commander of the squadron should arrive there.

These letters reached Aulick a few days after his arrival in China, and, astonished and mortified beyond measure, he at once replied to Schenck's charges, denying them absolutely and supporting his denials by the testimony of his officers. Ill at ease, and often incapacitated for duty by sickness, he remained on his station more than a year, awaiting the arrival of his successor. Finally, in March, 1853, he left China for America, taking the overland route and stopping at London. On reaching Washington he requested the secretary of the navy to institute an official investigation of his conduct, if he were dissatisfied with the explanations already made to the department. The secretary assured him that the explanations were "full, complete, and satisfactory," and that the ordering of a naval court was not deemed necessary. It later appeared, however, that Schenck's charges were partly true, for Macedo had been under the impression that Aulick was paying for his mess aboard ship, a misapprehension that arose from no intentional deception on the part of his host.

Aulick's tour of duty in the Far East was his last sea service. In 1867 he was promoted to be commo-

dore on the retired list, and three years later he died in Washington. To the end of his life his recall was a sore point, and he never forgave the navy department for snatching from him the honor of opening Japan, which he conceived to be practically within his grasp.[6]

On the same day that Secretary Graham wrote to Aulick to await in China the arrival of his successor, he addressed a letter to Commodore Matthew C. Perry, who was stationed at New York, ordering him to proceed at once to Washington to confer with the department. When Perry arrived at the capital, Graham and Secretary Webster were too busy to discuss with him his selection as Aulick's successor, the purpose of his visit. Graham therefore directed him to return to his station and await the instructions of the department. Shortly after his return, he wrote a letter to Graham expressing his views respecting the proposed assignment of duty. He said that he much preferred to be commander-in-chief of the Mediterranean squadron, since in time of peace that office was the most desirable in the gift of the secretary of the navy, and the one conferring the most honor. He was willing, however, to accept the office offered to him provided the sphere of action of the East India squadron and its force were

[6] Ex. Lets., June–December, 1851, 74; Conf. Lets., II, 267–268; E. I. Squad. Lets., 1851–1853, 155–170; National Intelligencer, Dec. 19, 1853; Jan. 3, Jan. 9, 1854.

so enlarged "as to hold out a well-grounded hope of its conferring distinction upon its commander." He was of the opinion that the object of the government respecting Japan could not be attained without greatly augmenting the fleet in the Eastern seas.

On January 14, 1852, Graham again ordered Perry to report at the department in Washington. It was probably before that date that President Fillmore considered the subject of the Japan mission with his cabinet; and (quoting his own words used in 1874) "it was finally determined to send an expedition expressly to Japan and Commodore Perry was selected to take the command. Instead of sending a single ship, it was thought best to send a somewhat formidable and imposing fleet, as the show of power might be deemed a persuader with that people in procuring a treaty."[7]

Commodore Perry belonged to a family already distinguished for its naval achievements before he shed lustre upon it. His father, Captain C. R. Perry, had served in both the Revolutionary navy and the early navy under the Constitution, and his brother Commodore O. H. Perry had won the victory at the battle of Lake Erie, which he announced in those well known words: "We have met the enemy and they are ours."

[7] Am. Hist. Rec., III, 149; Letters to Officers of Ships of War, U. S. Navy Dept. Arch., XLVI, 226, 332; Captains' Letters, July–Dec., 1851, 136.

In the War of 1812 Matthew C. Perry had served as a subordinate officer on board the frigate "President," and after that conflict he had had a varied career at sea and on shore, assisting in the suppression of piracy, in founding a colony in Africa, in establishing a steam navy and a naval apprentice system, and in improving the naval ordnance. In 1843, as commander of the African squadron, he pursued with remarkable success a "powder and ball" policy in dealing with the natives of the west coast of that continent, and during the Mexican War he commanded one of the largest squadrons ever assembled under the American flag. At the time of the expedition to Japan he was fifty-nine years old, having spent forty-three years in the navy.

On March 24, 1852, Secretary Graham formally directed Perry to take command of the East India squadron, then consisting of the "Susquehanna," "Plymouth," and "Saratoga," in China. To these ships were added the steam frigate "Mississippi," the first-class steamer "Princeton," and the storeship "Supply." The "Mississippi," Perry's flagship in the Mexican War, was designated as the flagship of the squadron until the commodore should reach his station. She was one of the pioneer steam vessels of the navy, having been built in 1841. She was burnt and sunk on the river that bears her name in 1863.

During most of the year 1852 Perry was busy pre-

paring for his expedition. The procuring of charts and books relating to Japan early engaged his attention, and in the spring he visited Albany, Boston, and New Bedford in the interest of his mission. The governor and officials of New York gave him several valuable publications of that state, and the textile manufacturers of Massachusetts supplied him with specimens of cloth. From numerous sources he obtained curios, arms, and various articles illustrative of the progress of the mechanical arts. At New Bedford the owners and masters of whaling ships gave him information respecting the cruising grounds and the usual ports of resort of their vessels. Two artists and an agriculturist were engaged, and rated as officers of the navy, as Perry was resolved to admit no one on board his ships who was not subject to naval discipline. He was exceedingly careful to select able and discrete officers. Commander H. A. Adams was made captain of the fleet, and Commanders Franklin Buchanan and Sidney Smith Lee received important offices. Lieutenants John Contee and Silas Bent were attached to the "Mississippi" as flag lieutenants, the last-named having served with Glynn on the "Preble."

The "Supply" was the first ship to sail, leaving New York in May (1852). The "Princeton" and "Mississippi" were not ready until fall, by which time the department had decided to add to the squadron the ship of the line "Vermont," the corvette "Mace-

donian," the steamer "Alleghany," the sloop of war "Vandalia," and the storeship "Southampton." On November 8 President Fillmore and Secretary of the Navy Kennedy visited the "Mississippi," then at Annapolis, to bid the commodore good bye. A few days later she proceeded to Norfolk where she was joined by the "Princeton." The latter vessel on her passage from Baltimore down the Chesapeake proved to be so defective that Perry decided to go to sea without her, and accordingly on November 24 he sailed from Norfolk for China, with a single ship of his squadron, the "Mississippi."

Before his departure, Perry received from the government at Washington the various official documents relating to his mission: a letter of credence signed by President Fillmore; a letter addressed to the Emperor of Japan signed by Fillmore, countersigned by Secretary of State Edward Everett, and drafted by Secretary of State Daniel Webster, who had recently died; sailing orders from the navy department; and instructions from the state department, bearing the signature of Acting Secretary of State C. M. Conrad. The last-named document expressed best the expectations of the government. The objects of the expedition were stated to be, first, the protection of American seamen and property in Japan and Japanese waters, second, the opening of one or more ports to American vessels for the obtaining of supplies, and third, the

opening of one or more ports for purposes of trade. Perry was directed to try first the efficacy of argument and persuasion. If he failed by the use of these means, he was to change his tone and inform the Japanese in the most unequivocal terms that the American government would insist that all its citizens who temporarily sought refuge in Japan on account of shipwreck or stress of weather should be treated with humanity, and that it would chastise severely any one who should practise upon them acts of cruelty. He was to bear in mind, however, that the president had no power to declare war, that the mission to Japan was necessarily of a pacific character, and that force was not to be used except in self-defense. The coasts of Japan and the adjacent islands were to be surveyed, provided it could be done without interfering with the main object of the mission.[8]

The American government made no secret of the expedition to Japan, which, before Perry left the United States, had assumed the importance of an international event, arousing the interest of the whole civilized world. The public prints both at home and abroad commented freely upon it, generally wishing it good fortune but gravely expressing their forebodings of failure. The London Times doubted "whether the Emperor of Japan would receive Commodore

[8] S. Ex. Doc., 33 Cong., 2 sess., no. 34, 2–11; Am. His. Rec., III, 149.

Perry with most indignation or most contempt." Rumors were circulated that the expedition was not a wholly pacific one. Joking on this aspect of it, Punch declared that Perry must open the Japanese ports even if he had to open his own. A Washington correspondent of the Baltimore Sun, comparing the sailing of Perry's fleet to the sailing of "Rufus Porter's aërial ship," insisted on "abandoning this humbug, for it has become a matter of ridicule abroad and at home."[9]

Before leaving the United States, Perry had pretty thoroughly familiarized himself with the literature relating to Japan, and during his voyage he continued his studies and also matured a plan of operations. From Madeira he wrote to the secretary of the navy recommending as a preliminary step in the negotiations the securing of one or more ports of resort in Japan or in the Lu-chu Islands. The President authorized him to carry out his recommendation, at the same time cautioning him to make no use of force, except in the last resort for defence. The President also approved another suggestion of Perry, the encouraging of the natives in the neighborhood of the ports of resort to turn their attention to agriculture in order that they might provide themselves with the means of supplying vessels.[10]

[9] Nitobe's Intercourse between the U. S. and Jap., 43–44.
[10] S. Ex. Doc., no. 34, 12–15.

On her outward voyage the "Mississippi" touched at Madeira, the Cape of Good Hope, Mauritius, and Singapore for supplies, and finally arrived at Hong Kong on April 7, 1853, about a month after Aulick relinquished his command. Perry found on the station the "Susquehanna," "Plymouth," "Saratoga," and "Supply." After visiting Canton and engaging the American missionary, Dr. S. W. Williams, as interpreter, he proceeded to Shanghai, where he assembled all his vessels, except the "Saratoga," which he left at Macao under orders to await the arrival of Dr. Williams and join the fleet at the Lu-chu Islands. In the latter part of May all the vessels of the squadron, with the exception of the "Plymouth" which was left at Shanghai to guard American interests, arrived at Napa, Great Lu-chu Island. As the commodore had decided to make Napa a port of refuge, he spent several days there cultivating the friendship of the natives. On June 6, accompanied with a suite of officers, he visited the prince-regent at his palace and was hospitably received. During the stay of the fleet at Napa an exploring party, in charge of the Reverend George Jones, the chaplain of the "Mississippi," penetrated the island in search of scientific information, and the harbors of Napa and Melville were surveyed.

While awaiting the arrival of a collier from Shanghai, Perry with the "Susquehanna" (now the flagship) and "Mississippi" visited Port Lloyd, Peel

Island, situated some eight hundred miles eastward of Nagasaki. Here he purchased a tract of land for a coaling depot, surveyed the harbor, explored the island, and distributed some live stock and garden seeds among the settlers. After a brief stay he returned to Napa.[11]

Finally the preparations were completed; and on the morning of July 2 the squadron, consisting of the steamers "Susquehanna" and Mississippi" and the sloops of war "Saratoga" and "Plymouth," set sail for the bay of Yedo, one thousand miles east-northeast of Napa. Perry had fully considered the policy that was to govern his dealings with the Japanese, and had fixed definitely its general lines. He decided not to resort to force, unless it was absolutely necessary. Those courtesies which were due from one civilized nation to another he should demand as a right and not solicit as a favor. He should permit no petty annoyances, disregard all threats, and confer only with functionaries of the highest rank. By keeping himself in the background, surrounding his person with an air of mystery, and insisting upon elaborate formalities, he should strive to impress the Japanese with the importance of his mission and to win their respect.

On the morning of July 8, as the ships approached Yedo Bay, their decks were cleared for action, the guns were placed in position and shotted, and the

[11] S. Ex. Doc., no. 34, 28–11; Hawk's Narrative, I, 151–227.

crews were called to quarters. About five o'clock in the afternoon the fleet anchored off the town of Uraga on the west side of the bay, twenty-seven miles from the capital. It was immediately surrounded by Japanese boats, one of the most conspicuous of which came alongside the flagship, and a Japanese officer asked for the commander-in-chief. On learning that the rank of the officer was only that of a vice-governor, Perry refused to see him, but appointed Lieutenant Contee to confer with him. For this interview and the events of the following day, Perry's narrative is the best authority:—

"He was merely told, under instructions from me, that I had been sent on a friendly mission to Japan, with a letter from the President of the United States for the emperor, and it was my desire to have a personal interview with a dignitary of the highest rank, in order to make arrangements for the delivery of copies and translations of the documents with which I had been charged preparatory to the formal presentation of the originals.

"He replied that Nagasaki was the only place, according to the laws of Japan, for negotiating foreign business, and it would be necessary for the squadron to go there; to which he was told that I had come purposely to Uraga, it being near to Yedo, and should not go to Nagasaki; that I expected the letter to be duly and properly received where I then was; that my intentions were perfectly friendly, but I would allow of no indignity, nor would I permit the guard-boats, which were collecting about the ships, to re-

main where they were, and if they were not immediately removed, I would disperse them by force. On having this interpreted to him, he suddenly left his seat, went to the gangway and gave an order which caused most of the boats to return to the shore; but a few of them remaining in clusters, an armed boat from the ship was sent to motion them away, at the same time showing their arms which had the desired effect, all of them disappearing; and we saw nothing more of them near the ships during the remainder of our stay. Here was the first important point gained.

"The vice governor shortly after took his leave, saying that he had no authority to promise anything respecting the reception of the President's letter, but in the morning an officer of higher rank would come from the city, who might probably furnish some further information.

"On the following morning, the 9th, the governor of Uraga, Kayama Yezaimon, came on board, thus giving the lie to the vice governor, who declared himself of the highest authority in the city; and as this officer was of superior rank to the visitor of the day before, I directed that he should be received by Commanders Buchanan and Adams and Lieutenant Contee, still refusing to receive myself any one but a counsellor of the empire (cabinet minister).

"The governor, after a long discussion in which he more than once declared that the Japanese laws made it impossible that the letter should be received at Uraga, that the squadron must go to Nagasaki, and even if the letter of the President were to be received at this place, a reply would be sent to Nagasaki. In answer to this he was told I would never consent to such arrangement, and would persist in delivering it

where I then was; that if the Japanese government did not appoint a suitable person to receive the documents addressed to the emperor, I would go on shore with a sufficient force and deliver them, whatever the consequence might be.

"On this being communicated to him, he said he would return to the city and send a communication to Yedo asking for further instructions; that it would require four days to obtain a reply; upon which he was told that I would wait until Tuesday, the 12th, three days, when I should certainly expect a definite answer. Accordingly he left the ship with the understanding that there should be no necessity for any further discussion until the time appointed for the delivery of the answer from court should arrive.

"At this interview the original letter of the President, together with my letter of credence, were shown to the governor, encased as they were in the magnificent boxes which had been prepared at Washington, the exquisite workmanship and costliness of which evidently surprised his excellency, and, on leaving the ship, he made an offer for the first time of supplies of water and refreshments, but was told that we did not stand in need of anything.

"I had directed that a surveying boat, well manned and armed, from each ship of the squadron, should commence at daylight this morning, the 9th, the survey of the harbor and bay of Uraga, and thinking it quite possible they might meet with some resistance, I instructed Lieutenant Silas Bent, in command of the surveying party, not to go beyond the range of our guns, and caused a lookout to be kept upon them, that assistance might be sent should they be attacked; but though they were followed by numbers of Japanese

boats, they did not, on seeing our men well armed, venture to molest them.

"The governor inquired what these boats were doing, and, on being told they were surveying the harbor, he said it was against the Japanese laws to allow of such examinations; and he was replied to, that, though the Japanese laws forbade such surveys, the American laws command them, and that we were as much bound to obey the American as he was the Japanese laws. Here was a second and most important point gained."[12]

The following day, July 10, being Sunday, no communication was had with the officials. Early in the morning of the 11th, Perry ordered the surveying boats, under convoy of the "Mississippi," to proceed farther up the bay toward Yedo, hoping thus to alarm the Japanese and induce them to give a satisfactory answer to his demands. Presently the governor came on board the "Susquehanna," and asked why the vessels were sent up the bay. He was informed that, as the anchorage at Uraga was unsafe and inconvenient, a more favorable one was being sought nearer to Yedo, which the squadron would use the coming season, should it be necessary to return to Japan at that time.

On the morning of July 12, the day on which an answer from the Emperor was expected, the governor came on board the flagship, accompanied by two interpreters. He said that a misunderstanding had

[12] S. Ex. Doc., no. 34, 46–47.

arisen respecting the proposed plan of the Americans to deliver first the translations and later the originals of the official documents. After much discussion, Perry consented to deliver both at the same time, provided a dignitary of the highest rank was appointed to receive them. The governor agreed to this, and said that an appropriate building for use as a council-house would be erected. He further stated that the Emperor's answer would be sent to Nagasaki to be delivered to the Americans by either the Dutch or Chinese superintendent there. Perry replied that he would not go to Nagasaki, that he would receive no communication through the Dutch or Chinese, and that he expected a reply of some sort to be delivered to him in Yedo Bay.

The place selected for a meeting was the village of Kurihama, near Uraga. At first Perry opposed this selection, saying to the Japanese that one of the houses or forts opposite the anchorage of his ships would be acceptable to him. Later, however, when informed by his surveying party that the fleet could be brought within gunshot of Kurihama and that large numbers of the natives were to be seen completing a building and transporting to it furniture and other articles, he made no further objections. On the 13th the governor presented the credentials of his highness, Toda, prince of Idzu, the representative of the Emperor, and they proved to be satisfactory. On the following

morning the whole fleet was anchored in line so as to cover with its guns Kurihama and the adjacent shore. Under date of July 14 Perry has this entry in his Notes:—

"This being the day appointed for my reception on shore, and every preparation having been made for landing a formidable escort composed of officers, seamen, and marines, from the respective ships, about 400 in number, all well armed and equipped; and being ready for disembarcation, the two steamers moved to a position commanding the proposed landing-place (the sloops of war not being able to move for want of wind) and shortly after the detachments forming the escort were in the boats and on their way to the shore, where they landed and formed, and were immediately followed by me.

"The whole shore of the bay, extending more than a mile, was crowded with Japanese troops—from five to seven thousand—drawn up under arms. These troops were composed of cavalry, artillery, infantry and archers; some of the infantry with flint muskets, others with matchlocks.

"On landing, I proceeded at once to the building erected for the purpose, and was there received by the prince of Idzu, first counsellor of the emperor, and his coadjutor, the prince of Iwami. To the former of these I presented the President's letter, my letter of credence, and three communications from myself, together with transcripts of the same in the English, Dutch, and Chinese languages, for which the prince of Idzu gave me a receipt.

"The princes were attended by the governor of Uraga, the chief interpreter, and a secretary.

"As it was understood that there was to be no discussion at this meeting, I remained but a short time, taking my departure and embarking with the same ceremony with which I had landed."[13]

To the commodore's concise account a few facts illustrative of the brilliant pageantry of the meeting may be added. At the head of the American party was a company of marines commanded by Major Zeilin; following them was a stalwart boatswain's mate, bearing the broad pennant, which was supported by two tall athletic seamen; then came two boys especially dressed for the occasion carrying in an envelope of scarlet the box containing the official documents; and next came the commodore with two black body guards, his staff, a suite of officers, two standard bearers, a company of sailors gaily uniformed, and the band of the "Mississippi." The official documents were of folio size, beautifully written on vellum, and bound in blue silk velvet. Each seal was attached by cords of interwoven gold and silk with pendant gold tassels, and was encased in a box of rosewood, with lock, hinges and mountings of gold. As a receptacle for the documents the Japanese had prepared a large lacquered box of a scarlet color, and supported by feet of brass or gilt.

The meeting place was a room in a thatched building, entirely open on one side and draped with gauze

[13] S. Ex. Doc., no. 34, 50–51.

curtains. On the left of the room as you entered it were seated the princes of Idzu and Iwami, and behind them a considerable number of two-sworded mandarins. The prince of Idzu was garbed in a maroon silk robe, an over-garment of red, and blue cloth socks. His suite were attired in much the same manner. On the right side of the room were some ornamental chairs placed there for the use of the Americans.

The conference opened with a few minutes of complete silence, both parties being seated. Tatznoske, the principal interpreter for the Japanese, was the first to speak, asking Mr. A. L. C. Portman, the Dutch interpreter of the Americans, if the documents were ready for delivery, and informing him that the prince of Idzu was ready to receive them. On this being interpreted to the commodore, he beckoned to the two boys, who came forward bearing the handsome boxes, and followed by two stalwart negroes. On reaching the receptacle prepared by the Japanese, the boys handed the boxes to the negroes, who opened them, took out the documents, and after displaying the writing and the seals laid them upon the lid of the receptacle. Under instructions from the commodore, Mr. Portman indicated to Tatznoske, who with the governor of Uraga was kneeling, the character of the several documents. Tatznoske then arose, and approaching the prince of Iwami prostrated himself and

received from the prince a roll of papers, then crossing the room he fell on his knees before the commodore and presented him with it. After an interval of silence the commodore directed his interpreter to inform the Japanese that he would leave within a few days with the squadron for the Lu-chu Islands and Canton; to offer them his services if they wished to send dispatches, and to say that it was his intention to return again in the spring. When the Americans arose to depart, the two princes also arose and remained erect while their visitors filed out of the building, still preserving an absolute silence.[14]

The roll of papers presented to the commodore by Tatznoske was an Imperial receipt for the president's letter, which, the receipt stated, was received at Uraga, in opposition to Japanese law, because a refusal would have insulted the ambassador of the President. The receipt closed with these words: "The letter being received, you will leave here." To show the Japanese how little he regarded their command, Perry, on returning to the flagship, proceeded toward Yedo with the whole fleet, a part of it resuming the work of surveying the bay. On July 15 and 16 the surveys were continued, and the boats of the "Mississippi" made soundings within six miles of the capital. The nearer the Americans approached Yedo, the more polite and

[14] Hawks' Narrative, I, 254–261; Taylor's Visit to India, China and Japan, 428–432; Spalding's Japan and Around the World, 156–165.

friendly the Japanese became. On the 16th the governor brought numerous presents to the flagship, which Perry consented to accept on the condition that he be permitted to return the courtesy. The governor raised the invariable objection that the Japanese law forbade the acceptance of favors from foreigners, but he finally yielded, returning to the shore with gifts exceeding in value that of those he brought. "Here," wrote Perry, "was another point gained in the unprecedented circumstances of their consenting to exchange presents."[15]

Perry's decision not to wait for a reply to the President's letter but to return to China and come again in the spring was not only stated verbally to the princes, but was also committed to writing and sent to the Emperor. In reaching this decision he was moved by several considerations. It seemed best to him to give the Japanese government ample time for reflection and discussion, and not to press it for an immediate answer when it could offer valid excuses for refusing one. Moreover, his fleet was in need of coal and refreshments, the situation in China called for the presence there of several vessels, and by the following spring re-inforcements from America would have arrived on the station.

On July 17, having been nine days in Yedo Bay, the fleet weighed anchor and went to sea. The "Sara-

[15] S. Ex. Doc., no. 34, 51–53.

toga" proceeded to Shanghai for the protection of American interests there, and the other vessels to Napa, where Perry arrived on the 25th. After renting a coaling depot of the islanders, he sailed for Hong Kong with the "Mississippi" and "Susquehanna," leaving the "Plymouth," Commander John Kelly, at Napa, under orders to visit the Coffin Islands and to survey and explore them. Kelly made the outward voyage to the islands in October, and on the 30th of that month took possession of them, at Newport, Hillsborough Island, by hoisting the United States flag, firing a salute of seventeen guns, and burying a copper plate and a bottle.[16]

In the fall of 1853, the East India squadron was mainly occupied with the protection of American interests in China, which country was then suffering from a civil war. Several vessels had lately arrived from America, the steamship "Powhatan," sloop of war "Vandalia," corvette "Macedonian, and storeships "Southampton" and "Lexington." Two other vessels, the "Vermont" and "Alleghany," which had been promised Perry, were detached from his command by the new government at Washington that came in with President Pierce. Perry directed the work of the squadron from Macao, where he established himself on shore, together with the artists and

[16] Log of Plymouth, Oct. 30, 1853; S. Ex. Doc., no. 34, 64–67; Hawks' Narrative, I, 283.

surveying officers of the expedition, who were employed in arranging and collating the scientific information that had been collected.

In November the French frigate "Constantine" suddenly left Macao under sealed orders; and about the same time a Russian squadron arrived at Shanghai, having lately visited Nagasaki where its commander had attempted to open negotiations with the Emperor.[17] These movements aroused Perry's suspicions, and fearing that the French and Russians might interfere with his plans, he decided to act promptly by returning at once to Japan. In January, he assembled at Napa all the vessels of his fleet that could be spared from China. On February 1 the sailing ships "Macedonian," Captain Joel Abbot, "Vandalia," Commander John Pope, "Southampton," Lieutenant J. J. Boyle, and "Lexington," Lieutenant J. J. Glasson, sailed for Yedo Bay, and six days later they were followed by the steamers "Susquehanna," Commander Franklin Buchanan, "Mississippi," Commander S. S. Lee, and "Powhatan," Commander W. J. McCluney. On the 11th the "Southampton" arrived at the "American anchorage," ten miles above Uraga; and two days later she was joined by the remaining vessels of the fleet.

Soon after Perry left Yedo Bay in July, 1853, copies of President Fillmore's letter to the Emperor

[17] S. Ex. Doc., no. 34, 81–82.

were sent to many of the principal rulers and dignitaries of Japan, requesting them to express unreservedly their opinion of it; and more than forty of them did so. They were almost unanimous in opposition to the opening of their country permanently to foreign commerce. Several however, were willing to try the experiment for a limited period. Declaring that "the policy of the barbarians is first to enter a country for trade, then to introduce their religion, and afterward to stir up strife and contention," the prince of Mito memorialized his government in favor of war. In the end, the Emperor decided to conciliate the Americans by granting them their less important demands, and at the same time to prepare his country for defense. New forts were constructed along the coast, numerous cannon and bombs were cast, and three hundred thousand patriots repaired to Yedo.[18]

Soon after the "Susquehanna" arrived at the American anchorage, some Japanese officers came alongside her with a message from the Emperor. They were referred to Perry's representative, Commander Adams, whom they informed that the Emperor had given orders to receive the fleet in a most friendly manner, that he had appointed five commissioners of high distinction to meet Perry and consider with him the propositions contained in the President's letter, and that a town called Kamakura, about twenty

[18] Nitobe's Intercourse between the U. S. and Jap., 48–51.

miles below Uraga had been designated as the place of meeting. This news was highly satisfactory to Perry, with the exception of that respecting the meeting place, to which he strongly objected. On learning of his objections, the Japanese proposed Uraga, where they had already begun to erect a council-house. This proposal Perry also rejected, urging the inconvenience of Uraga and its unsafety as an anchorage for his ships. For more than a week the question of a meeting place was discussed, neither side being willing to yield to the other. Finally, to expedite a settlement, Perry sailed up the bay with his fleet within sight of Yedo and within hearing of its bells. Soon after this movement was effected, the Japanese, fearing that the Americans intended to visit Yedo, proposed that the meeting be held on the beach near Yokohama. As this place was quite suitable and convenient, Perry accepted it. Here the Japanese erected a council-house, and Perry moored his ships near by, covering with his guns the shore for a distance of five miles.[19]

The president of the Japanese commission was Hayashi, prince counsellor, and chief professor of the Chinese language and literature at the Great University of Japan, a profound scholar and dignified gentleman. Two of the other four members had the rank

[19] For Perry's second visit to Japan, see especially S. Ex. Doc., 32 Cong., 1 sess., no. 34, 116–141; and Hawks' Narrative, I, 343–508.

of "princes." By the 8th of March the commissioners and Perry had completed their preparations for the meeting. The second landing of the Americans was marked by even greater pageantry than the first. As this feature is not especially dwelt upon by Perry in his official account from which the following extract is taken, it may be passed over without further notice:

"At 11:30 a. m. on the day appointed, the escort, consisting of about five hundred officers, seamen, and marines, fully armed, embarked in twenty-seven barges, in command of Commander Buchanan, and, forming a line abreast, pulled in good order to the shore. The escort having landed and drawn up, I followed in my barge under an appropriate salute, and landing, was received by the escort and a party of Japanese officials, and conducted to the hall prepared for the conference, where I found in waiting the five commissioners, and was invited to be seated opposite the chief personage.

"At this moment salutes were fired from the howitzers mounted in the launches, of twenty-one guns in honor of the emperor, and seventeen for the Japanese commissioners. This display in landing was made altogether for purposes of policy, in accordance with the reasons already assigned.

"After suitable interchanges of courtesy, I was requested to retire, with my suite, to an inner apartment, where the necessary business could be conducted undisturbed. Accordingly, accompanied by the captain of the fleet, the two interpreters, and my secretary, I withdrew with the commissioners to an adjoining room, separated from the principal hall by a flag

suspended across the entrance. Refreshments having been served, a reply to the letter of the President presented in July last was handed to me and translated from the Dutch by Mr. Portman, and I replied to it verbally. I then handed to the chief commissioner a draught of a treaty, which I had previously prepared as the basis of one which I was desirous of negotiating with the Imperial government. This was accompanied by three other papers—one being a reply to the communication of the chief commissioner addressed to me from Uraga . . .; another, a statement of my views with respect to the policy of bringing about a mutually advantageous compact between the United States and Japan . . .; and the third . . ., a memorandum . . . in further explanation of the motives which would govern me in conducting the negotiations and asking for certain relaxations of the Japanese laws with respect to the squadron."[20]

On the conclusion of these preliminaries, the commodore informed the commissioners that a marine had recently died on board the "Mississippi," and that he wished to bury his body at some suitable place on shore. The commissioners replied that the body would have to be taken to Nagasaki for burial. Perry raised objections to this disposition of it, proposing that it be interred on Webster Island, near the American anchorage. The commissioners strongly opposed this suggestion, but finally consented to permit the interment to take place at a spot adjoining one of the temples in Yokohama. Perry was somewhat dis-

[20] S. Ex. Doc., 33 Cong., 2 sess., no. 34, 125–126.

appointed at the turn taken by the incident as he had hoped to acquire an interest in Webster Island with a view to subserving "some ulterior objects." On fixing the burial place of the marine, the first conference came to an end.[21]

The Emperor's answer to the President's letter disclosed that he was willing to concede much respecting the relief of distressed mariners and the establishment of ports of resort, but that he was unwilling to open Japan for purposes of trade. At first Perry urged the commissioners to negotiate with him a treaty granting the United States the rights of commerce, and he threatened them with the possibility that his government would send out more ships and men "with instructions of more stringent import." He soon discovered, however, that it was impossible to obtain a concession of commercial privileges, and he therefore turned his attention to procuring favorable terms respecting the points conceded. The Japanese were willing to open two ports of resort, Nagasaki immediately, and one other port after five years, where American ships would be supplied with wood, water, coal and other necessities. Perry obtained the substitution of Shimoda, a more convenient port, for Nagasaki, the designation of Hakodate as the second port, and the reduction of the interval preceding the opening of the second port to one year.

[21] S. Ex. Doc., no. 34, 126–127.

Several conference were held at the council-house near Yokohama before the treaty was completed on March 31, on which day it was signed by Perry and the commissioners. During the negotiations the Japanese and their visitors showed each other many courtesies. Presents were both given and received by them. Among those presented by Perry to the Japanese were a collcction of rifles, muskets, swords, pistols and carbines, a cask of wine, one hundred gallons of whiskey, several baskets of champagne, a box of perfumery, a telescope, two telegraphic instruments, three life-boats, one locomotive with tender, passenger car, and rails, four volumes of Audubon's Birds of America, eight baskets of Irish potatoes, and numerous agricultural implements. The natives were much interested in the locomotive and telegraphic apparatus, which were set up on shore and operated for their instruction. The gifts presented by the Japanese included two bundles of rice, three hundred chickens, gold lacquered writing implements, paper boxes and book cases, some pieces of pongee, crape, and silk, twenty umbrellas, and thirteen dolls.[22]

Perry dined the commissioners and their retinues on board the "Powhatan" receiving them with all the honors and attentions due to persons of high rank. The fleet displayed the Japanese flag—the first time this emblem ever floated from the mast-head of foreign

[22] Hawks' Narrative, I, 357, 369.

ships of war. In accordance with the Japanese custom, the subordinates were not seated with their superiors. A table for the commissioners, Perry, and his captains was spread in the cabin, while the lesser notables dined on the quarter-deck. The visitors did full justice to the American viands, and having eaten to satiety, they after the manner of their country wrapped up and took with them the remnants of the feast. One of the commissioners fancied a large cake and was presented with it by the commodore, together with some cordial. Under the mellowing influence of the American wines and liquors, the visitors became exceedingly social, and a few even hilarious. The friendship of Nippon and America was frequently toasted, and many sentiments of mutual good will were expressed by host and guest.[23]

The treaty consisted of twelve articles, the most important of which are the following: Article 2 provided for the opening of Shimoda and Hakodate as ports of resort, where American vessels could be supplied with wood, water, coal and other necessities. Articles 3, 4 and 5 constituted a shipwreck convention, and made Shimoda and Hakodate ports of refuge for shipwrecked Americans. Article 9 contained a most-favored-nation clause, and article 11 gave American consuls the right of residence at Shimoda. Consuls

[23] Spalding's Japan and Around the World, 249–251; Hawks' Narrative, I, 375.

were not to be appointed until eighteen months after the signature of the treaty, and not then unless the "two governments should deem such arrangement necessary."[24]

On the fourth day after the treaty was signed, Commander H. A. Adams was dispatched to Washington with a copy of it, taking passage on board the "Saratoga" for San Francisco. Perry's work in Yedo Bay was practically completed. Before leaving, however, he got his fleet under way and approached near enough to Yedo to ascertain that it could be destroyed by a few light-draft steamers carrying guns of the heaviest calibres. On April 18, the slower vessels having already sailed, Perry with the "Powhatan" and "Mississippi" left the scene of his great achievement and proceeded to Shimoda. Thence he visited Hakodate, and from that place returned to Shimoda. The harbors of these ports were surveyed, friendly relations were established with the local governments, and cemeteries for the burial of Americans were located. At Shimoda the commodore met the Japanese commissioners and together they adopted some new treaty regulations, relating in part to the limits near the two ports within which the Americans were to be free to go and come, the landing places for vessels, and the sale of goods. Finally on June 28 Perry sailed for China by way of the Lu-chu Islands. At Napa he

[24] U. S. Treat. and Conv. (1910), I, 996–998.

entered into a compact with the government, granting to Americans the same rights in the Lu-chus that the Treaty of Yokohama gave them in Japan. On July 21 he arrived at Hong Kong.

For some time the commodore had been unwell, suffering from bodily ailments and worn out by the cares and duties of his trying office. In December, 1853, he had written to the secretary of the navy asking permission to return home when his negotiations with Japan should be completed. At Hong Kong he received the orders he had requested, and on September 11 he sailed from that port on the British mail steamer "Hindostan" for England by way of the Red Sea and the overland route. On January 12, 1855, he arrived in New York on the steamer "Baltic," having been absent from the United States two years and two months. His flagship "Mississippi," returning home by way of the west coast of South America, reached New York on April 22, and on the following day she was visited by Perry. As he left her to go ashore his broad pennant was hauled down, thus formally terminating his connection with the East India squadron.

The opening of Japan was a memorable achievement, whether viewed as an international spectacle, a difficult task, or an historical event. Its spectacular features arrested the attention and kindled the imagination of the whole civilized world. The surmounting of its difficulties might well have challenged the ablest

statesmen of the century. Perry's success was in no small measure the result of a rare combination of strong qualities of character—firmness, sagacity, tact, dignity, patience, and determination. His achievement was one of the great historical events of the last century, the far-reaching effects of which are still but partially revealed.

For several months after Perry's return to the United States, he was employed at Washington in preparing a history of his expedition. In 1856 this was published by the federal government in three large volumes at a total cost of three hundred and sixty thousand dollars.[25] On the completion of his labors as author and editor, he returned to his home in New York city, where he died after a brief illness on March 4, 1858.

Ratification of the Perry treaty was advised by the Senate on July 15, 1854, and the document was signed by the President on August 7. Ratifications were exchanged on February 21, 1855, and the treaty was proclaimed on June 22 of that year.[26]

[25] Griffis's Perry, 385.

[26] U. S. Treat. and Conv. (1910), 996.

CHAPTER X

The Opening of Korea, 1866–1883

The most important work of the American navy in the Far East during the third of a century that elapsed between our Civil War and the Spanish-American War was concerned with the opening of Korea, "the hermit nation." That country is a peninsula, with an area of about ninety thousand square miles and a population of possibly ten million people. Like China and Japan it long pursued toward foreign nations a policy of isolation and exclusiveness. It was unable, however, to avoid all connection with its two powerful neighbors, Japan and China. For many years Japan claimed a suzerainty over Korea, which in early times was acknowledged by the dependent state. Later Korea acknowledged the suzerainty of China and sent annually to Peking an embassy bearing tribute. Both China and Japan carried on a small trade with the natives on the coast.

The occidental nations had no connection with the Koreans until near the close of the eighteenth century, when some French Catholic missionaries obtained a footing in the peninsula. For many years these missionaries successfully prosecuted their work, notwith-

standing the opposition of the Korean government. In 1832 the British East India Company sent a religious and commercial expedition to Korea, which, however, failed to attain important results. In 1866 the Koreans began a new persecution of the foreign missionaries, all of whom were in a few months either driven out of the country or killed. As many of the missionaries were Frenchmen, the French government sent an expedition to demand satisfaction for the injuries inflicted on its citizens. After capturing and burning the town of Kang-hoa, the French forces were so harassed by the natives that they were compelled to withdraw and to return to China.

In 1845 a resolution was introduced in the United States House of Representatives recommending that measures be immediately taken to effect a commercial arrangement with Korea; but nothing came of this initiative.[1] Not until about the time of the French expedition was the United States brought into relation with the Koreans. In June, 1866, the American merchantman "Surprise" was wrecked on the west coast of the peninsula, and the castaways were supplied by the local authorities with necessary comforts, were transported on horseback to the northern frontier and were there delivered to some Chinese officials.

Three months later a quite different fate befell the officers and crew of the American schooner "General

[1] H. Doc., 28 Cong., 2 sess., no. 138.

Sherman."[2] The particulars of the visit of this vessel to Korea have never been fully ascertained. It appears that she was chartered by an English house at Tientsin, was laden with merchandise and was sent to the west coast of the peninsula to trade. Her owner (who sailed with the ship) as well as her master and mate were Americans; her supercargo and interpreter were British; her crew were Malays and Chinese, and there were two Portuguese on board. She sailed from Chi-fu on August 8, 1866. In November Rear-admiral Bell received word that she had been wrecked on the Korean coast, and that subsequently she had been burned, with all her people, by order of the king regent of Korea. He at once decided to send one of his ships to investigate her loss, and he wrote to the secretary of the navy recommending that the squadron be reenforced with some fifteen hundred or two thousand troops, with a view to obtaining possession of Seoul, the capital, and demanding satisfaction of the king regent. This advice the American government did not see its way clear to follow.

The vessel chosen by Bell to investigate the loss was the U. S. S. "Wachusett," Commander Robert W. Shufeldt, an officer equally distinguished for his naval and diplomatic achievements. Leaving Chi-fu on

[2] For the disasters to the "Surprise" and "General Sherman," see especially Asiatic Squadron Letters, U. S. Navy Dept. Arch., 1865–1866, 93, 94.

January 21, 1867, Shufeldt two days later came to anchor off the Korean coast opposite the Sir James Hall group of islands, near the mouth of a large inlet. Had the voyage been feasible in the winter season, he would have proceeded to the Ta-tong (also called the Ping-yang) River, fifty miles northward, up which stream the "General Sherman" was lost. Shufeldt entered into communication with the natives at the villages near his anchorage and, after meeting with some difficulties, induced one of the chiefs to despatch into the interior a letter addressed to the king of Korea. Several days after the departure of a messenger with this letter, an official of Hae-chow-poo, the capital of the province in whose waters the "Wachusett" had anchored, came on board the ship. He said that he knew nothing of the "General Sherman," and he ordered Shufeldt to depart speedily and return to his own country. The natives near the anchorage were more communicative respecting the lost vessel, and they all told the same story, namely, that she was burned in the Ping-yang river and that all her people were killed in a melée on shore. Unable to secure any additional information and inclined to believe that he had the truth of the matter, Shufeldt returned to China, without having received an answer to his letter to the king. One may add that the inlet visited by the "Wachusett" was wrongly supposed to be the Ta-tong River, as may be seen from a chart

prepared by her officers. The true Ta-tong river they called the Ping-yang river.[3]

Some months after the return of Shufeldt, it was reported that four seamen of the crew of the "General Sherman" were still alive and were detained as prisoners in the city of Ping-yang. To test the accuracy of this report, Commodore Goldsborough ordered the U. S. S. "Shenandoah," Commander John C. Febiger, to proceed up the Ta-tong river and to investigate further the loss of the unfortunate schooner. In the spring of 1868 Febiger spent several days surveying the river and communicating with the local authorities. When about twenty-five miles up the stream, he was fired upon by a military post but was not hit. He obtained considerable information respecting the lost vessel, little of which, however, could be depended upon. Among the communications that he received was one from the *ex-officio* inspector of the Imperial Board of Directors of Korea, addressed to Commander Shufeldt and replying to that officer's letter to the king. This gave a version of the loss of the "General Sherman" favorable to the Koreans, and represented her captain as the aggressor. The principal result of the visit of the "Shenandoah" was a survey of the Ta-tong river and its approaches.[4]

[3] Asiatic Squad. Let., 1865–1866, 93, 94; 1867–1868, 46–93; W. E. Griffis, Corea, 392.

[4] Asiatic Squad. Let., January, 1867–April, 1868, 693–702;

The affair of the "General Sherman" naturally led our government to consider the possibility of making a treaty with Korea. Both Rear-admiral Stephen C. Rowan, commander-in-chief of the Asiatic squadron, and his successor, Rear-admiral John Rodgers, proposed the sending of a naval expedition to Korea, similar to that of Commodore Perry to Japan. The government finally decided to make an attempt to negotiate a treaty, to intrust the negotiations to Mr. F. F. Low, the American minister to China, and to provide him with an imposing naval escort. Rear-admiral Rodgers would have been chosen to undertake the mission instead of Low, had it not been desirable to enlist the good will of China and, if possible, her good offices, by selecting the American diplomatic representative at Peking. Low was directed to consult with Rodgers throughout every stage of the negotiations, and Rodgers was ordered to convey Low to Korea on board his flagship, accompanied with as many vessels of his squadron as could be spared. In November, 1870, the two officers conferred together at Peking and settled the details of the expedition. Doubtless having in mind Perry's procedure in Japan, they agreed to leave Korea after they had informed the authorities of the purpose of their visit and to return

October, 1867–December, 1868, 164–196. One version of the loss of the "General Sherman" will be found in the Korean Repository (Seoul) for 1895, pp. 251–254.

a month later for the reply of the government. "This," said Rodgers, "would prevent difficulties from arising between our peoples, avoid any appearance of coercion and leave their imaginations to augment the dangers of refusal." Before leaving Peking, Low sent through the Chinese government to the king of Korea a message explaining the purposes of the expedition and giving assurances of its friendly character.

Having collected all accessible information relating to the navigation of Korean waters, Rodgers, in May, 1871, assembled at Nagasaki a fleet of five steamships, carrying eighty-five guns and twelve hundred and thirty men. On board the flagship "Colorado" were the rear-admiral and Minister Low with his suite, consisting of secretaries, interpreters, Chinese writers and servants, and five shipwrecked Koreans who were being returned to their native land. There was much doubt in Low's mind whether the mission would prove successful. Rodgers took a brighter view of its prospects, writing thus on the eve of its departure from Nagasaki:—

"The anticipations vary very much as to the reception we shall probably meet. I will hope, until facts dispel hope, that we shall meet with success. The time has come, I infer from what I learn, for the Koreans to make a treaty; and if we do not succeed now, some other power or powers will probably be more fortunate."[5]

[5] Asiatic Squad. Let., 1870–1871, 309.

On the 19th the fleet arrived at the Ferrieres Islands on the west coast of Korea, and on the 30th, after a course had been sounded and surveyed, it came to anchor near the mouth of the Salée or Han River, some thirty miles from Seoul. Low and Rodgers decided to remain here until they communicated with the king and in the meantime to survey the river. Soon after the "Colorado" anchored, she was visited by four Koreans, who said that three officials of their government were waiting on shore to ascertain the object of the expedition. On the next day the officials came on board the flagship; as they were of inferior rank, Low directed his two secretaries to receive them. They were informed that the American minister had important business to transact with their government, which would be made known to a person of equal rank duly appointed by the king, and that it was the desire of America to establish peaceful relations with Korea. They were also told, as had been the visitors of the previous day, that it was the intention of the surveying vessels to proceed up the river and that every effort would be made to avoid trouble. They made no objections, but, on the contrary, gave "tacit assurances" that the expedition would meet with nothing but civility and kindness from the natives.

On June 1 a flotilla from the fleet, while engaged in surveying the river, was unexpectedly fired upon by a Korean fort. The fire of the natives was returned,

and a fight took place in which the Americans lost two wounded and the Koreans twenty wounded and many more killed. After a careful consideration of this incident, Low and Rodgers decided that the prestige of the United States would be impaired unless the injury to its flag were avenged or an apology tendered by the Korean government. Through one of his secretaries Low explained to an officer of the local prefecture that sufficient time would be allowed for an apology before any further steps were taken. While deeply regretting the firing on the flotilla, the officer defended the action of the forts, on the ground that the Korean laws prohibited foreigners to pass a barrier of defense. He sent a present of chickens, bullocks and eggs to Rodgers, who declined to accept it.

During the nine days immediately following the firing on the flotilla Rodgers was busily engaged with preparations for a retaliatory expedition. He organized and drilled a division of sailors and marines, made ready supplies and ordnance and settled all questions of transportation. In the meantime he received a letter from the king, which, while somewhat evasive, plainly indicated that he did not wish to make a treaty with the United States. He denied that his subjects were the aggressors in the "General Sherman" affair, and he referred to three instances in which he had protected shipwrecked Americans. To this letter Low sent no reply. No apology for the attack of June

1 was tendered by the Korean government, and the arrangements for retaliation were put into execution. With the details of the retaliatory expedition we are not here concerned. It is sufficient to say that the Americans performed their allotted task with great thoroughness. Five forts were captured or destroyed; fifty flags and four hundred and eighty-one pieces of ordnance were taken, and twenty Koreans were made prisoners. In the principal engagement the loss of the natives was three hundred and fifty men killed and wounded, more than half of them being killed; the loss of the Americans was three killed and ten wounded, among the latter being Lieutenant Hugh W. McKee.

Hoping that this disaster to the Korean arms would move the king to accept overtures for a treaty, Low renewed his attempt to communicate with him. The local officials, however, refused to forward Low's letters to their ruler, who probably never received a true account of the events that happened at the mouth of the Salée. As Rodgers considered his force insufficient to make its way to Seoul, and as it was doubtful whether such a movement was authorized by the American government, Low decided to discontinue his mission. On July 3 the squadron weighed anchor, and two days later it arrived at Chi-fu. On receiving an account of Rodgers's operations, the navy department wrote to him approving them, but at the same

time it cautioned him against undertaking the conquest of Korea.[6]

After the return of the Rodgers expedition in 1871 the American government for several years made no attempt to enter into a treaty with Korea.[7] Indeed there appeared to be little or no prospect of success. In 1874, however, our chargé d'affaires at Peking reported that he had received information that a new Korean king and dynasty had come into power, and that they might be regarded as more favorably disposed toward the United States.[8] Two years later Japan made a treaty of amity and commerce with

[6] Asiatic Squad. Let., 1871; Annual Report of the Secretary of the Navy for 1871, 275–313; H. Ex. Doc., 41 Cong., 3 sess., no. 1, part 1, 334–339; H. Ex. Doc., 42 Cong., 2 sess., no. 1, part 1, 112–153; W. S. Schley, Forty-five Years under the Flag, 73–96.

[7] The account of the succeeding events described in this chapter is based chiefly on the Shufeldt Papers, temporarily deposited by Miss Mary Abercrombie Shufeldt in the United States Navy Department in Washington, and on the Cruise of the Ticonderoga, two volumes, to be found in the archives of the department. Of the Shufeldt Papers, the most valuable are the Korean Letter-Book (which contains all the official letters written by Commodore Shufeldt from July 1, 1882, to August 23, 1883) and the letters to Shufeldt from the State Department, Minister James B. Angell and Chargé d'Affaires Chester Holcombe. There is in the Shufeldt Papers an unpublished history of the cruise of the "Ticonderoga."

[8] Secretary of State W. M. Evarts to Secretary of the Navy R. W. Thompson, Nov. 9, 1878, in Cruise of the Ticonderoga, U. S. Navy Dept. Arch., I, 19.

the hermit nation, which opened the ports of Fusan and Gensan to Japanese trade and permitted a Japanese minister to reside at Seoul. The success of Japan encouraged our government to consider the advisability of renewing its overtures. On April 8, 1878, Mr. Aaron A. Sargent, of California, chairman of the Senate committee on naval affairs, introduced in the Senate a joint resolution authorizing the President to appoint a commission to negotiate a treaty with Korea, "with the aid of the friendly offices of Japan." Several days later, this resolution, after a speech by Sargent urging its adoption, was referred to the Senate committee on foreign affairs, from which it never emerged.[9]

There seems to have been some connection between the Sargent resolution and a decision of the navy department, made in 1878, to send Commodore Robert W. Shufeldt[10] on an important commercial and diplo-

[9] U. S. Congressional Record, vol. VII, part 3, 2324, 2600, 2601.

[10] Shufeldt had come to be regarded as one of the most eminent diplomatists of the navy and possessed to an unusual degree the confidence of his government. He was born in Dutchess County, New York, in 1822, and at the age of seventeen received a midshipman's commission. After fifteen years of service at sea and on shore, he resigned from the navy to enter the merchant marine. For two years he was employed on board the Collins' ships sailing between New York and Liverpool, and later he commanded several vessels sailing between New York and New Orleans. For a year he was en-

matic mission to certain eastern countries, including Korea. In the fall of 1878 the navy department placed the U. S. S., "Ticonderoga" at the service of Shufeldt for use in this mission. On December 7 she sailed from Hampton Roads for the west coast of Africa. We are not here concerned with the commodore's important work as arbitrator of the boundary between Liberia and the adjacent British possessions, as negotiator of a treaty with the king of Johanna, and as collector of commercial information at the numerous ports visited by him. It may be noted in passing,

gaged in making an attempt to open a transit route across the Isthmus of Tehuantepec. On the outbreak of the Civil War President Lincoln appointed him consul general to Havana, a post that he filled for two years under most trying circumstances and with conspicuous success. In 1862 the State Department sent him to Mexico on a confidential mission, which seems to have been connected with the occupation of that country by the French. As French troops were in possession of Vera Cruz, it required much tact and discretion to reach the capital and perform the duties required of him. In 1863 Shufeldt again entered the navy, this time as commander; and during the last two years of the war he rendered important service in the naval squadrons off the coast of the Confederacy, participating in several important operations, among others the capture of Morris Island and the attacks on Fort Wagner. His visit to Korea in 1867 has been noted above. Later he commanded a Tehuantepec surveying expedition, and for four years he served as chief of the naval bureau of equipment and recruiting in Washington.—L. R. Hamersly, The Records of Living Officers of the United States Navy and Marine Corps (fifth ed.), pp. 25, 26.

however, that the "Ticonderoga" entered the Persian Sea and sailed up the Euphrates river, being the first American ship of war seen in those waters. In the spring of 1880 she arrived in the Far East, reaching Hong-kong on March 26 and Nagasaki on April 15.

As early as 1867, when Shufeldt made his first visit to Korea, he conceived the project of opening up that country to the western world. After more than a decade an opportunity for carrying out his plans had presented itself.[11] Instructions from the navy department required him "to visit some port of the Corea with the endeavor to reopen by peaceful measures negotiations with that government." "It is believed," Secretary Thompson wrote, "that the attack upon the Corean forts in 1871 is susceptible of satisfactory explanation, and that a moderate and conciliatory course toward the government would result in opening the ports of that country to American commerce. You will give special consideration to this subject."[12]

The department of state approved these orders, but was less sanguine of success than the navy department, and expressed the opinion that there was no material change in the prospect of entering into a treaty with Korea. Taking advantage of the intimacy between

[11] R. W. Shufeldt, Korea's Troubles, in the San Francisco Chronicle, Oct. 30, 1887, p. 2.

[12] Thompson to Shufeldt, Oct. 29, 1878, in Cruise of the Ticonderoga, I, 4, 5.

Japan and Korea, it directed Mr. John A. Bingham, the American minister to the former country, to apply to the Japanese minister of foreign affairs for personal or official letters to the Korean authorities calculated to facilitate Shufeldt's mission.[13]

On arriving at Nagasaki, Shufeldt communicated with Bingham, at Tokio, and was informed that Inouye Kaoru, the Japanese minister for foreign affairs, refused to commend the mission to the favorable consideration of the government of Korea, on the ground that it might produce complications in the execution of the Japanese treaty and that it appeared that the Koreans were still disinclined to open their country to Occidental nations. He was willing, however, to give Shufeldt letters to the Japanese officials in Korea, and at Bingham's request wrote a letter introducing the commodore to Kondo Masuki, the Japanese consul at Fusan, one of the three Korean ports open in 1880 to the Japanese, situated on the southeast coast of the peninsula, some two hundred miles from Seoul.[14]

Accompanied by the American consul at Nagasaki and an interpreter, Shufeldt reached Fusan on May 4, one day from Japan. He immediately delivered to the Japanese consul the letter of introduction, and, on the following day, handed to the consul a letter addressed

[13] Evarts to Thompson, Nov. 9, 1878, in Cruise of the Ticonderoga, I, 12, 18–22.

[14] Cruise of the Ticonderoga, II, 322–325.

to the king of Korea and requested him to forward it to Seoul. In this letter Shufeldt attempted to explain satisfactorily the destruction of the "General Sherman" and the events growing out of that incident. He represented his present mission to Korea as a continuation of his former one; he set forth the present motives and objects of the United States; and he requested the king to appoint an officer to confer with him at Fusan. About twenty-four hours later the Japanese consul reported that the governor of the district in which Fusan is situated had refused to forward this letter, saying that he had no authority to forward it and that the Japanese were the only foreigners with whom he could hold intercourse. Balked in this manner, and unable to conceive of any peaceful method of reaching the king from Fusan, Shufeldt returned to Japan.[15]

Arriving at Yokohama on May 11, he at once brought all possible influence to bear on the Japanese government, with a view to inducing it to forward the letter to the king. Finally, after he had held various interviews with Bingham and the Japanese minister of foreign affairs, the last-named official consented to cover the letter to the king with one of his own and thus send it to Seoul. Out of deference to the opinion of the minister and to avoid all pretext for hostility, Shufeldt consented to await a reply at Nagasaki for a

[15] Cruise of the Ticonderoga, II, 327–348.

period of sixty days, instead of proceeding again to Fusan or some other Korean port, as he had contemplated doing.[16] Through the kind offices of the Japanese government the letter to the king finally reached the Korean minister of ceremony at Seoul, who, however, refused to receive it, partly for the reason, as he asserted, that it was addressed to "Great Corai" instead of "Great Chosen." In further explanation of his refusal, he said: "It is well known to the world that our foreign relations are only with Japan, neighboring to us, which have been maintained since three hundred years, and that other foreign nations are not only situated far from us, but there has never been any intercourse with them."[17]

Shufeldt considered the explanation of the minister evasive, and he suspected, rightly or wrongly, that Japan was not acting in good faith. He said:—

"It is her policy indeed to monopolize the commerce of Korea. She possesses in that country exterritorial rights and rules the Koreans with an iron rod. Striving to free herself from the obnoxious sway of foreigners upon her own soil, she is unwilling to have these foreigners see how she has imposed these same laws in an aggravated form upon her defenceless neighbor."[18]

[16] Cruise of the Ticonderoga, II, 349–365, 387–401.

[17] Korean Minister of Ceremony to the Japanese Minister of Foreign Affairs, in Cruise of the Ticonderoga, II, 417, 418.

[18] Shufeldt to Thompson, Oct. 13, 1878, in Cruise of the Ticonderoga, II, 477, 478.

In the summer of 1880, while waiting in accordance with his promise to the Japanese government for news from Korea, Shufeldt made the acquaintance of Ü Tsing, the Chinese consul at Nagasaki, who wrote to Viceroy Li Hung Chang, the great Chinese statesman, informing him of the commodore's desire to make a treaty with Korea.[19] Under date of July 23 Li wrote to Shufeldt asking him to come to Tientsin, Li's summer capital, for a personal interview and to talk over matters. "I have heard your name for a long time," said Li, "but I have not yet had the pleasure of seeing you."[20] The invitation was accepted. On August 25, the commodore, having left the "Ticonderoga" at Chi-fu, arrived at Tientsin, and on the following day had a most important interview with Li, concerning which he wrote as follows:—

"This interview partook largely of a personal and intimate character, and lasted nearly three hours. His Excellency asked me, first, if there was anything I desired. I told him in behalf of our government I desired that China would use her influence to secure with the Corean government a treaty of amity between Corea and the United States; that this country (Corea) lay directly between America and eastern nations with which our commerce was in constant communication, and although Corea, I knew, was a

[19] R. W. Shufeldt, Corea's Troubles, in the San Francisco Chronicle, Oct. 30, 1887, p. 2.

[20] Li Hung Chang to R. W. Shufeldt, July 23, 1880, in Shufeldt Papers; Cruise of the Ticonderoga, II, 402–410.

poor country and promised but little in itself of commercial importance, yet as it was in the line of ocean travel it was of importance to secure from that government protection by treaty of American lives and property that might be stranded upon its shores. After a prolonged discussion, in which the strategic position of the peninsula of Corea with reference to Russia, China and Japan was pointed out, His Excellency told me that I might say to my government that he would use his influence with the government of Corea to accede to the friendly request made by me in behalf of the government of the United States to open negotiations with a view to such a treaty as before mentioned. For this friendly act I thanked him and assured him that it would meet with the appreciation it deserved. Before closing this subject it was decided that the action of the Corean government would be imparted to the American minister at Peking. . . . His Excellency then said that he had invited me to Tientsin with the view of getting the opinion of a naval officer in whom he had confidence on the result of a war between China and Russia, so far as naval operations on the seacoast of the former were concerned. He begged me to reflect on my answers, because he desired my opinion to have full force and effect not only with himself but in the counsels of the nation. I replied by saying substantially that in view of the formidable Russian naval force, thoroughly drilled and equipped, already upon the coast of China, and in view also of the incomplete and chaotic condition of the Chinese navy of which I was well aware, the result could only be one of disaster to China. After discussing the crisis from an international point

of view, His Excellency seemed much impressed and assured me that war would not occur between these two countries if China could possibly avert it. He said that the two Empresses and the Prince of Kung, Prime Minister, were decidedly in favor of peace, and that he thought these counsels would prevail.

"The result of this interview is necessarily given in brief but I cannot refrain from expressing my admiration for the intelligence and judgment displayed by His Excellency, Li Hung Chang, and my extreme pleasure in the treatment received from him and the evident respect he entertained for my opinions.

"In conclusion he expressed the hope that when peace was assured my government would permit me to assist China in the organization of its navy. This, of course, is a matter to some extent personal in its nature, but if consummated would add very much to American influence in China, and probably end in the construction of ships for that government in American ship yards."[21]

Satisfied that he had placed the proposed negotiations in as good a position as the circumstances would admit, Shufeldt returned home, since the period allotted to the cruise of the "Ticonderoga" was about to expire. He arrived at San Francisco on November 8, 1880. In his opinion, the "Ticonderoga" had inaugurated a movement in Korea similar to that inaugurated by the "Columbus" under Commodore Biddle in Japan, and it only remained for the United

[21] Shufeldt to Thompson, Aug. 30, 1880, in Cruise of the Ticonderoga, II, 466–470.

States to follow up the movement in Korea with a squadron of ships under a discreet officer, as it had done in Japan. He said that

"the acquisition of Alaska and the Aleutian Islands, the treaties with Japan, Sandwich Islands and Samoa, are only corollaries to the proposition that the Pacific Ocean is to become at no distant day the commercial domain of America. . . . If any means can now be found to get beyond the barred gates and to reach the central government, I am convinced that Corea could be made to understand not only the policy of a treaty with the United States, but its absolute necessity as a matter of protection against the aggression of surrounding powers. Corea would in fact be the battlefield of any war between China and Russia or Japan in whichever way these nations might confront each other."[22]

On reaching Washington, in November, 1880, Shufeldt did not lose sight of his great ambition, the opening of Korea to the Western world; nor of Li's request that he should serve him in the capacity of naval aide in organizing the Chinese navy. After the commodore left Tientsin in August, he wrote to Li recommending Lieutenant D. P. Mannix, commander of the marines of the "Ticonderoga," as a suitable officer to give instruction in the use of torpedoes. Li fell in with the suggestion and at once offered Mannix a post for that purpose in the military school at

[22] Shufeldt to Thompson, Oct. 13, 1880, in Cruise of the Ticonderoga, II, 474–481.

Tientsin. In the spring of 1881 the authorities at Washington, responding to a request from the Chinese government, granted Mannix permission to accept the offer.[23]

In the meantime Shufeldt had been successful in promoting a mission for himself. He urged his government to send him to China for the purpose of aiding Li in organizing the Chinese navy and of making a treaty with Korea by means of Li's assistance. Secretary of State James G. Blaine entered heartily into Shufeldt's plans, and on March 15, 1881, wrote to the secretary of the navy that circumstances rendered it desirable that a naval officer of adequate rank and reputation should be attached to the United States legation at Peking, and suggested Commodore Shufeldt as a suitable officer for the proposed service. Shufeldt's objects were to be kept secret, and his position as attaché to the legation was to serve as a blind to them. Even our minister to China, Mr. James B. Angell, was not notified of the appointment until the commodore informed him of it in Peking. On March 18, the secretary of the navy directed Shufeldt to report to the minister at Peking for special duty, proceeding thence at such time as the secretary of state might designate. On May 9 Blaine ordered him to leave San Francisco on the 19th for Peking,

[23] Li Hung Chang to R. W. Shufeldt, Sept. 21, 1880; Executive Letters, U. S. Navy Dept. Arch., XXXIII, 307.

and to stop on his way at Tientsin to ascertain whether the Korean government was ready to resume negotiations for a treaty. On reaching China he was to wait for further instructions respecting Korea. The state department granted him permission to aid Li in organizing the Chinese navy.[24]

The commodore was accompanied to China by his daughter, Miss Mary Abercrombie Shufeldt, who acted as his secretary. He arrived at Shanghai on June 21, and thence proceeded to Tientsin to see Li Hung Chang, before reporting at Peking. On July 1 Shufeldt had an interview with the viceroy. The latter said that, in accordance with his promise made in the previous August, he had had a conversation with a Korean official in China respecting a treaty between the United States and Korea, and that the official was much impressed with the advantages that his country would derive from such treaty. Li further said that he had written to the government of Korea on the subject but had not yet received a reply. He advised the commodore to exercise patience and expressed the opinion that eventually the United States would realize its wishes. He, however, appeared less enthusiastic than at the previous interview and less willing to act as an intermediary. This change of

[24] Executive Letters, XXXIII, 377; Secretary of State J. G. Blaine to Shufeldt, May 9, 1881; C. L. Fisher to Shufeldt, March 1, 1881; J. G. Blaine to C. Holcombe, Nov. 14, 1881, in Shufeldt Papers.

heart the commodore ascribed to the recent treaty between China and Russia, which lessened Li's dread of Russian aggression. The viceroy was annoyed at an effort which, he understood, had been made by our minister to Japan to persuade Korea to send an envoy to Tokio to confer with our minister respecting a treaty. He said there were two parties in Korea, one in favor of and the other opposed to intercourse with foreigners; and that the king and the court officials belonged to the first of these parties. He expressed his satisfaction with the work already performed by Lieutenant Mannix as torpedo instructor. On the day following this interview, the viceroy returned the commodore's call, and subsequently Shufeldt accompanied him on a visit to one of his men-of-war and witnessed a drill conducted entirely by Chinese officers.[25]

On leaving Tientsin, the commodore went to Peking where on July 7 he presented to Minister Angell his credentials as attaché to the legation. After paying his respects to the Tsung-li Yamen, the Chinese foreign office, he returned to Tientsin, where he established himself, with his daughter in charge of the social affairs of his household, always matters of great importance in the Orient. About the middle of July he had another interview with Li, who, apparently influenced by news of Japanese encroach-

[25] Shufeldt to Blaine, July 1, 1881; Shufeldt to Secretary of State F. T. Frelinghuysen, Jan. 23, 1882.

ments in Korea, again manifested much interest in the negotiation of the proposed treaty. He said that he had sent a letter to the Korean government of such import that it would at least elicit a reply, if it should not be the means of the appointment of a Korean official to consult with respect to a treaty. He expected a reply within ninety days, and he asked the commodore to remain at Tientsin to receive it and to meet the Korean official, should one be sent there.[26]

During the remainder of the summer and all of the autumn of 1881, Shufeldt was at Tientsin, awaiting news from Korea. He had expected Li to take some action regarding his offer of a responsible post in the Chinese navy, but the viceroy found it advisable to avoid that subject. For a time, however, he frequently consulted Shufeldt respecting naval affairs and often adopted his suggestions. The commodore's constant visits to Chinese ships of war and arsenals created a general impression that he was to take charge of the Chinese squadron of the North. This aroused the envy of some of the foreigners in the Chinese service, and several of the foreign ministers at Peking used their influence to prevent his employment. Responding to the pressure that they brought to bear, Li became less and less communicative respecting naval matters; and finally Shufeldt, in order to main-

[26] Shufeldt to J. B. Angell, June 18, 1881; Shufeldt to Frelinghuysen, Jan. 23, 1882.

tain the dignity of his rank and station, declined to have any further connection with the Chinese navy.[27]

The period of ninety days fixed by Li as sufficient for the reception of news from Korea expired about the first of October, and no news had been received. Shufeldt's position now became exceedingly embarrassing, and the question arose whether under the circumstances his dignity would not be sacrificed by his remaining longer at Tientsin, where to outsiders he appeared as a hanger-on to Li's court and a solicitor of a naval job. Minister Angell advised his departure and Mr. Chester Holcombe, the American chargé d'affaires, who in October succeeded Angell at Peking, was inclined to agree with his predecessor.[28] The commodore, however, decided to remain until he heard from Korea.

Finally on December 15 Shufeldt received a call from the viceroy's naval secretary, who was sent by his master to say that a Korean official had reached Tientsin bringing the information that Korea was now willing to make a treaty with the United States. The commodore replied that he would communicate the intelligence to his government at Washington, that if it wished to make a treaty it would appoint a commissioner, and that the negotiators probably could

[27] Korean Letter-Book, 7–10, 23–24, 27–28; Holcombe to Shufeldt, Nov. 9, 1881; Blaine to Holcombe, Nov. 14, 1881.

[28] Angell to Shufeldt, Oct. 14, 1881; Holcombe to Shufeldt, Nov. 26, 1881.

not begin work until spring. Not only the necessity of waiting until the American government appointed a commissioner, but also the fact that Li was about to depart from Tientsin to Pao-ting-fu, his winter capital, made a delay imperative. On receiving this news Shufeldt sent it to Holcombe to be telegraphed to Washington. Soon after its receipt there, Secretary of State Frederick T. Frelinghuysen, who had succeeded Blaine, telegraphed these words to Holcombe: "Congratulate Shufeldt on prospect of successful negotiation."[29]

The commodore was disappointed in not receiving additional instructions from his government in respect to Korea in the summer or fall of 1881. The assassination and death of Garfield, however, had more or less interfered with the plans of the administration. When he received information of Korea's willingness to negotiate, he was not aware that his government had already appointed him a special envoy to Korea and had authorized him to negotiate a treaty with that country. His instructions were signed by Secretary Blaine on November 14, and his letter of credence by President Arthur on the following day. He was also provided with a letter written by the President to the king of Korea. Rear-Admiral Clitz, the commander-in-chief of the Asiatic squadron, was di-

[29] Shufeldt to Holcombe, Dec. 16, 1881; Frelinghuysen to Holcombe, Jan. 7, 1882.

rected to place a vessel at his service. On January 6, 1882, the new secretary of state wrote to him increasing his powers, giving him a few additional instructions, congratulating him on the auspicious beginning of his mission and expressing appreciation of the friendly aid received from Li.[30]

Shufeldt's prime purpose, according to his instructions, was to obtain a treaty for the relief of American vessels and crews shipwrecked on the Korean coast. However, should he find the temper and disposition of the king favorable, he was also to negotiate a treaty of amity and commerce, securing rights of trade, fixing tariffs, establishing consular and diplomatic representation and granting exterritorial jurisdiction. He was cautioned not to ask for too much as the initial treaty might well serve as a first step in opening a hitherto closely sealed country. He was ordered not to begin negotiations unless there were reasonable prospects of success. In carrying out his instructions he was left largely to his own discretion. His stay in Korea, however, was limited to two months.[31]

Shufeldt did not receive the Blaine instructions until January 19. Four days later he wrote to Li, who was still at his winter capital, informing him of the

[30] Blaine to Shufeldt, Nov. 14, 1881; President Arthur's letter of credence, dated Nov. 15, 1881; Frelinghuysen to Shufeldt, Jan. 6, 1882; Shufeldt to J. M. B. Clitz, Jan. 20, 1882.

[31] Blaine to Shufeldt, Nov. 14, 1881; Frelinghuysen to Shufeldt, Jan. 6, 1882.

action of the Washington government and suggesting the propriety of meeting him at such time and place as he might select. The viceroy replied that he would be glad to see the commodore at Pao-ting-fu, provided he would come incognito. This Shufeldt declined to do, as he did not wish to give the negotiations the character of a personal intrigue between himself and the viceroy. It was then settled that the interview should be postponed until Li's return to Tientsin in March.[32]

The prospects for a successful outcome of the mission seemed highly flattering. There was danger, however, that complications might arise. It was known that the viceroy had urged the British minister at Peking to inaugurate a negotiation with a view to a treaty between England and Korea.[33] Fortunately for Shufeldt the governments at both Peking and Seoul now showed the greatest interest in the opening of Korea to intercourse with the western nations. Not Li alone who was inclined to represent himself as the prime agent in bringing together the contracting parties, but the Chinese government also was supporting the movement to open Korea, as may be seen from the following extract from a letter of Holcombe, dated February 4, 1882:—

"I was at the Yamen—the Foreign Office—on Wednesday last, and sounded the Ministers on the Corean

[32] Korean Letter-Book, 17–20, 42–44, 46.
[33] Korean Letter-Book, 74.

question. They responded more readily and freely than I had anticipated, and told me some things which surprised and pleased me and which explain Li's course in the Corean question.

"All matters concerning Corea have in past years been attended to by the Board of Rites here, the oldest, highest, and most intensely antiprogressive of the Six Boards. The Yamen told me that last spring, through Price Kung's influence, Corean questions were transferred from the Board of Rites to the Foreign Office; that the Emperor of China himself wrote a letter to the King of Corea urging him to establish treaty relations with Foreign Powers, and first with the United States; that Li was simply ordered to forward that letter; that the King of Corea had replied that he was willing and even anxious to negotiate with the United States. They added that the King and a large proportion of the people of Corea understand the situation and are ready for foreign intercourse, but that there is there, as in China, an anti-foreign party."[34]

Early in February Shufeldt went to Peking to confer with Holcombe. As the latter had resided in the Far East for several years and was an accomplished Chinese scholar it was agreed that he should attend the interview with Li. His presence, it was thought, "would perhaps render Li himself a little more cautious, and consequently reliable," and would place a check on Li's "exceedingly slippery interpreters." Shufeldt again visited the Tsung-li Yamen, and found

[34] Holcombe to Shufeldt, Feb. 4, 1882.

it quite cordial and eager to aid him in his negotiations. Before returning to Tientsin, he and Holcombe prepared a draft of a treaty with Korea (Draft no. 1). This contained no reference to China's claim to suzerainty over Korea, on the inclusion of which, it was well known, the viceroy was determined to insist.[35]

On the arrival of Li at his summer capital, about the middle of March, it soon appeared that the terms of the treaty were to be virtually settled at Tientsin and not in Korea, and that the viceroy was to represent both his own government and that at Seoul. With the latter he kept in touch by means of its representative in Tientsin who stayed in the background, and who had no formal connection with the negotiations. "I have every reason to believe," wrote Shufeldt on April 10, "that there is at this moment in Tientsin a Korean official who is consulted at every step."[36]

The negotiator on the part of China and Korea, Li Hung Chang, was easily the most powerful man in the Chinese empire and in large measure dominated its foreign policy. He was viceroy of Chili (the province in which Tientsin is situated), senior guardian of the heir apparent, grand secretary, commander-in-chief of

[35] Shufeldt to Holcombe, Dec. 4, 1881; Holcombe to Shufeldt, Jan. 31, 1882; Shufeldt to Frelinghuysen, March 11, 1882.

[36] Shufeldt to Frelinghuysen, April 10, 1882.

eighteen provinces, commissioner of coast defenses, etc., etc. Shufeldt described Li as he appeared at this time, somewhat unsympathetically it is true, as follows:—

"He is fifty-nine years of age, six feet two inches in height; has a clear, cold, cruel eye and an imperious manner. He is a thorough oriental and an intense Chinaman. These imply contempt for western nations and hatred for all foreigners. Li Hung Chang is the Bismarck of the East; he keeps together an incongruous empire and an effete dynasty by the repressive force of an indomitable will. He suppresses rebellions by decapitation and quiets the turbulent with the bamboo; yet he is great, not because he is so much in advance of his countrymen, but because he is not so far behind as they are in an appreciation of the arts political and physical which govern the modern world. He at least recognizes the value of these forces; he buys ships of war, constructs forts, experiments in torpedoes and drills troops with modern arms."[37]

On March 25, accompanied by Holcombe, Shufeldt held the first of a series of interviews with Li. Concerning what took place at this meeting, he wrote to the secretary of state as follows:—

"His Excellency authorized the following statement, which I told him I intended forwarding to Washington.

[37] Shufeldt to A. A. Sargent, Jan. 1, 1882, in Korean Letter-Book, 32, 33. See also San Francisco Evening Bulletin, March 20, 1882, p. 3, and other American newspapers of about the same date.

"The King of Corea and his prime minister are in favor of opening the country to foreigners, and are not only willing but anxious to treat with the United States, but there is a faction at court and among the people intensely hostile to the movement. A Corean envoy has recently visited His Excellency at Pao-ting-fu, and it was then determined to ask the Corean King to send an ambassador to China for the purpose of making a treaty with the United States, under the supervision of His Excellency the Viceroy, and to return to Corea when I go to that country for its ratification.

"To facilitate this arrangement I have transmitted a draft of a treaty to the Viceroy, such as I thought would accord with my instructions, and His Excellency in return has presented one, which, while stipulating for the quasi-political dependence of Corea, is yet not by any means incapable of being reconciled with our own demands.

"On Saturday next [April 1] I am to present my objections to this draft to the Hai-kwan-Taotai, who is empowered to discuss the question with me.

"Both Corea and China are anxiously looking for protection against the growing aggression of Japan on the peninsula. In this connection the Viceroy informed me in the strictest confidence that the King of Corea would now be glad to see an American man of war in the Seoul river and His Excellency advised me by all means to go to that point and to get as near the capital as possible. . . .

"I informed His Excellency that the United States had now been waiting more than a year for the action of the Chinese authorities in the matter of Corea,

that the proposition to intercede came from His Excellency, that the United States had accepted it in the friendliest spirit, and that I hoped there would be no delay in the action foreshadowed; and I further told him that if there was no prospect of success by May 1st, prox., I should telegraph to the State Department and advise the abandonment of the project. His Excellency said that he had promised me his assistance in this matter, and he intended to fulfil it to the extent of his power."[38]

On exchanging the first drafts of the treaty (Drafts nos. 1 and 2) it was apparent that the only important differences between the negotiators related to the first article as drafted by Li, and especially to Li's inclusion of the following sentence: "Chosen, being a dependent state of the Chinese Empire, has nevertheless heretofore exercised her own sovereignty in all matters of internal administration and foreign relations."[39] At an interview, held on April 1, between Shufeldt and the Hai-kwan-Taotai, Li's principal assistant, the latter made the commodore's assent to the Chinese draft of article 1 the *sine qua non* of any further discussion of the treaty. The commodore refused his assent and the interview came to an end. Shufeldt now prepared "draft no. 3," a combination of nos. 1 and 2, with the objectionable features left out; and Li prepared "draft no. 4," a com-

[38] Shufeldt to Frelinghuysen, March 30, 1882.
[39] Draft No. 2, in Shufeldt Papers.

bination of 1 and 2, with the objectionable features left in. At an interview held at Li's yamen on the 5th, the viceroy declared that article 1 was indispensable, that the instructions of his government made its inclusion imperative and that it was written at the desire of the king of Korea. Shufeldt then read an argument against its inclusion. He submitted that, since Korea (as asserted in article 1) was in possession of sovereign powers in respect to her foreign and domestic relations, the United States had the right to treat with her independent of the suzerainty of China. He declared that a reference to China was not pertinent to the treaty, that it might cause complications, and that he had no power to connect the United States with China as the joint protector of Korea. Subsequently, after a considerable discussion of the question, Li asked for four days in which to consider it.

By the 10th the treaty seemed to be practically completed, as the viceroy had agreed to waive article 1, provided the commodore would make a request in writing for a messenger to accompany him to Korea as the representative of the Chinese government and would state in the request that, owing to the fact that Korea was in a certain sense a dependant of China, he had asked for the intervention of the Chinese authorities for the accomplishment of the purpose in view. To this proposition Shufeldt was

willing to assent. He also promised to forward to the President of the United States a letter, which was to be written by the king of Korea after the treaty was signed, stating that the treaty had been made by and with the consent of the government of China.[40]

Subsequently to reaching these agreements, the question of the inclusion of article 1 was again brought up for discussion, and at one time so procrastinating were the tactics of the Chinese and so serious was the breach between the negotiators that Shufeldt threatened to break off the negotiations and proceed to Chi-fu. His spirited stand brought the Chinese to terms, for they were as desirous as he that the treaty should be made.[41] The cause of the failure of Li's proposition respecting the waiving of article 1 and the result of that failure are thus set forth by the commodore:—

"This proposition would have been agreed to, if, during an interview between Mr. Holcombe and the Foreign Office at Peking, that office had not proposed to him whether in some way less positive the suzerainty of China over Corea might not be mentioned in the treaty. To this proposition Mr. Holcombe did not see the objections which had occurred to me. Consequently the Foreign Office addressed a letter to the

[40] Shufeldt to Li Hung Chang, April 4, 1882; memorandum of R. W. Shufeldt dated April 6, 1882; Shufeldt to Frelinghuysen, April 10, 1882.

[41] Miss M. A. Shufeldt, The Treaty with Korea, 8–10, in Shufeldt Papers; rough draft of Shufeldt's ultimatum to Li Hung Chang (undated) in Shufeldt Papers.

Viceroy on the subject, and out of deference to the wishes both of the Foreign Office and of His Excellency the Viceroy, although contrary to my own judgment, I sent to the Department on the 12th inst. the following telegram: 'May I insert in treaty with Korea an article admitting dependence of Corea upon China, China conceding sovereign powers to Corea. They desire it. I have objected. Answer.'"[42]

By April 19 the treaty was completed in every particular except one, the question of the admission of the suzerainty of China. On that day Shufeldt telegraphed the secretary of state as follows: "Business arranged, except subject cipher telegram [refers to telegram of the 12th]. Ready start for Corea. Must have interpreter. Suggest Holcombe. His assistance very necessary. Thirty days probably sufficient. Can you send him, putting Taylor in charge of archives at Peking?"[43]

For several days Shufeldt awaited replies to his telegrams, but no replies came. Under date of January 20 he had written to the department, asking for authority to employ an interpreter, but his request was not attended to. Much vexed at the strange action of his superiors in Washington, he made preparations for his departure to Korea. He and Li agreed, tacitly or otherwise, to abide by the compromise measures originally accepted in lieu of the

[42] Shufeldt to Frelinghuysen, April 28, 1882.
[43] Shufeldt to Frelinghuysen, April 28, 1882.

exclusion of article 1. From Tientsin he went to Shanghai and thence to Chi-fu, where he arrived on May 4. Here he found the U. S. S. "Swatara," Commander P. H. Cooper, detailed by Rear-admiral Clitz for Korean service, and three vessels of the Chinese navy, under the command of Admiral Ting. Here had also arrived the representative of the Chinese government, Ma-Kietchong, an expectant taotai of the honorary title of the second rank. This official informed the commodore that Li had forwarded a copy of the proposed treaty to the king of Korea, and that it did not contain the objectionable article, which the commodore feared Li might insert. At an interview with Ma it was agreed that the Chinese vessels should leave for the mouth of the Salée, or Seoul, River on the morning of the 7th, and the "Swatara" twenty-four hours later—an arrangement that was carried out.[44]

At seven o'clock on the morning of May 8, the commodore and his Chinese interpreter having come on board, the "Swatara" got under way for the coast of Korea. Her departure caused much commotion among the foreign vessels in the harbor, several of which hastened to send dispatches to their ministers at Peking.[45] At 2:15 p. m., of May 12, she anchored

[44] Korean Letter-Book, 63–68.

[45] Miss M. A. Shufeldt, The Treaty with Korea, 10, 11; Rear-Admiral J. M. B. Clitz to the Secretary of the Navy, May 17, 1882.

at the mouth of the Salée river, a little below Roze Island, and found there the Chinese corvette "Wei-Yuen," bearing the flag of Admiral Ting, two other Chinese vessels and the Japanese gunboat "Banjo." On the following day Ma, who acted as intermediary between the Americans and Koreans, called on Shufeldt to arrange for a visit of two Korean commissioners who had been appointed by the king to "negotiate" the treaty.

The principal commissioner, Shin Chen, president of the royal cabinet, had negotiated the Korean-Japanese treaty. His colleague was Chin Hong Shi, a member of the royal cabinet and formerly an envoy to Japan.[46] On the 14th these two officials, attended by their staff and an interpreter, visited Shufeldt, and were received with a salute of three guns, the courtesies of the ship being extended to them. They were exceedingly friendly in their expressions of good will, and after their return ashore they sent aboard presents of rice, eggs, fowls and beef. Six days later Shufeldt, accompanied by several officers, visited the commissioners at a place in the interior about six miles from the ship, called Yin Chuen. Here the credentials were examined and found satisfactory, and the commodore presented the commissioners with Arthur's letter to the king, insisting that it should be delivered as a message from a sovereign ruler of a friendly nation

[46] Korean Letter-Book, 69, 70.

and answered in the same terms. It was here settled that two days later a meeting should be held on shore, in sight of the "Swatara," for the purpose of sealing, signing and delivering the treaty which had been perfected at Tientsin.[47] Concerning this last formality, which took place on May 22, the commodore made the following memorandum:—

"May 22: At 9:30 a. m. Commodore Shufeldt, accompanied by Commander P. H. Cooper, Lieutenants E. C. Pendleton and H. R. Tyler, Surgeon J. A. Hawke, Paymaster H. T. B. Harris, Chief Engineer A. Adamson, Ensigns W. F. Fullam, W. G. David and P. V. Landsdale, Cadet Midshipmen J. R. Maloney, H. B. Andrews and H. L. Ballentine, and Cadet Engineers W. F. C. Hasson and C. A. E. King, and preceded by the marine guard of the U. S. S. 'Swatara,' under command of First Lieutenant W. F. Spicer, left the ship and proceeded to the place previously selected for the signing of the treaty between the United States and Corea, which was on the mainland near the town of Sai-mots-fo [Chemulpo?] and in full view of the ship at anchor in Roze Roads. He proceeded at once to the tent which had been put up by the Corean authorities, finding there the two commissioners on the part of Chosen, Shin Chen, president of the Royal Cabinet, and Chin Hong Chi, member of the Royal Cabinet, with their suite, and Ma Taotai, and Admiral Ting and Captain Clayson of the Imperial Chinese Navy. After a little preliminary conversation, the six

[47] Korean Letter-Book, 61, 74; Log of "Swatara," in Shufeldt Papers; P. H. Cooper to J. M. B. Clitz, May 30, 1882, in Asiatic Squadron Letters.

copies of the treaty, three in English and three in Chinese, were sealed and signed by Commodore Shufeldt on the part of the United States, and by the two commissioners already named on the part of Chosen. As soon as the signing was completed, at a signal from the shore, the 'Swatara' fired a salute of twenty-one guns in honor of the King of Chosen. Commodore Shufeldt and party then returned on board the 'Swatara.'"[48]

The treaty that was signed in Korea, with the exception of a slight modification of article 8, was identical with the one negotiated with Li at Tientsin.[49] The "negotiations" in Korea consisted of but little more than the sealing and signing of a document already agreed to by the three interested parties. Shufeldt gained the point for which he so vigorously contended, that the treaty should contain no recognition of the claim of China to suzerainty. Two days after the signatures were appended, he received a letter from the king, addressed to the President, which contained the following significant acknowledgment: "The Chou Hsien country (Corea) is a dependency of China, but the management of her governmental affairs, home and foreign, has always been vested in the sovereign."[50] He also received a friendly letter from the king addressed to the President, a reply to the letter of President Arthur. Both of these documents he forwarded to the state department.

[48] Korean Letter-Book, 74, 75.
[49] Shufeldt to Frelinghuysen, Aug. 23, 1882.
[50] Korean Letter-Book, 79.

Mention must be made of the interest manifested by the Japanese in the negotiating of the treaty. On Shufeldt's arrival at Roze Roads on May 12, the commander of the Japanese gunboat "Banjo" delivered to him a letter from our minister to Japan, Mr. John A. Bingham, introducing him to Mr. Hanabusa, the Japanese minister at Seoul, with whom, wrote Bingham, I have no doubt that you will find it to your advantage "to cultivate intimate and, if need be, confidential relations." This letter called forth a letter from Shufeldt to Hanabusa. In Hanabusa's letter of reply to Shufeldt, occur the following suggestive words: "I was waiting for your arrival there [Roze Roads] wishing to speak something about our relations with Coreans etc., but I had been obliged to enter Seoul without any delay for some urgent business, but I think I can visit you within four or five days." On Hanabusa's return to Roze Roads Shufeldt reached the conclusion that Japan regretted her declination two years before to act as intermediary between the United States and Korea, and that she was now anxious to retrieve her error. Hanabusa watched every movement of the negotiators, and "was only prevented from offering his services by the sudden and to him unexpected conclusion of the treaty."[51]

[51] Bingham to Shufeldt, Apr. 26, 1882; Shufeldt to Hanabusa, May 12, 1882; Hanabusa to Shufeldt, May 17, 1882; Shufeldt to Frelinghuysen, June 8, 1882.

On the morning of the 24th the "Swatara" sailed for Shanghai, where she arrived on the evening of the 26th. Here the commodore was employed several days preparing translations of the Korean documents, before forwarding them to the state department. On June 4 he arrived at Nagasaki, where he remained several weeks, hoping that an arrangement might be effected whereby he would succeed Rear-admiral Clitz as commander-in-chief of the Asiatic squadron. Failing in this, he sailed for San Francisco, arriving there on July 29, 1882. As his arduous and exacting duties had impaired his health, he remained in California several months before proceeding to Washington.

The reasons for the failure of the state department to reply to Shufeldt's telegrams present several points of interest. One cause may possibly be traced to the publication, on or about March 20, 1882, in various papers throughout the United States, of the famous Shufeldt-Sargent letter. On January 1, Shufeldt wrote a long letter to his friend, Senator Aaron A. Sargent of California, in which he spoke with great freedom of the Chinese government and people and of Li Hung Chang and the empress. Through a misunderstanding this letter was given to the press, and its publication was exceedingly embarrassing to the administration. Frelinghuysen characterized it as an "extraordinary letter, brutal in its frankness."[52] The

[52] Sargent to Shufeldt, Apr. 26, 1882; Secretary of the Navy

incident naturally caused considerable coldness between Shufeldt and the secretary of state. There seem, however, to have been other reasons for the procrastination of the department at a crucial moment in the negotiations. Shufeldt was an appointee of Blaine, between whom and Frelinghuysen no love was lost. The latter apparently was not loath to have the Korean treaty consummated by an appointee of the Arthur adminstration, Mr. John Russell Young, the new minister to China. It is said that, when Young on his way to his station heard in June at Nagasaki from the commodore that the treaty had been signed, he could not conceal his profound disappointment.[53]

The Korean treaty was transmitted by Arthur to the Senate on July 29, 1882, and was ratified on January 9, 1883. Ratifications were exchanged at Seoul on May 19, and the treaty was proclaimed on June 4, 1883.[54] Already the first American minister to Korea, Mr. Lucius H. Foote, had arrived at the capital and had been received by the king and queen with much distinction and courtesy. Before the end of the year a Korean embassy visited the United States, where many attentions were shown it by both government and people.

W. E. Chandler to Shufeldt, June 2, 1882; Shufeldt to Chandler, rough copy, undated, probably about July, 1882; G. M. Robeson to Shufeldt, June 4, 1882.

[53] Conversation with Miss M. A. Shufeldt; Holcombe to Shufeldt, May 15, 1882; Korean Letter-Book, 10, 11.

[54] S. Ex. Doc., 48 Cong., 2 sess., no. 47, 216.

The Korean treaty was much more comprehensive than the initial treaties of either our own government or other occidental governments with China and Japan, which were little more than shipwreck conventions. In January, 1882, Frelinghuysen wrote to Shufeldt that if he obtained only a shipwreck convention his mission would yield admirable results. He was cautioned not to try to gain too many or too great advantages.[55] Disregarding this advice, Shufeldt negotiated a treaty of "peace, amity, commerce and navigation," quite comprehensive in character and containing fourteen articles. Among its important provisions are those permitting American citizens to trade at the open ports of Korea and to erect residences and warehouses therein, fixing rates of tariff, granting the usual privileges contained in shipwreck conventions, establishing diplomatic and consular representation, prohibiting traffic in opium, giving to American consuls in Korea exterritorial jurisdiction, and granting to the United States the privileges obtained from Korea by the most favored nation.[56]

The success of Shufeldt's mission attracted little attention in the United States, indeed much less than his unfortunate letter to Sargent. Our people knew little or nothing of Korea and were not yet interested

[55] Frelinghuysen to Shufeldt, Jan. 6, 1882.

[56] For the text of the treaty, see S. Ex. Doc., 48 Cong., 2 sess., no. 47.

in the politics of the Far East. With the ruling powers at Washington the commodore was out of favor. President Arthur did not mention him in his messages to Congress, and the state department was none too prompt or cordial in expressing its appreciation of his services.[57] As a result of the indifference of the people and the disfavor of the government, the commodore never received the recognition in America that was legitimately due him.

Other nations, and particularly those having interests in the Far East, were quick to see the importance of his achievement. Within a few weeks after the signing of the American treaty, Great Britain and Germany made treaties with Korea, and these countries were soon followed by Italy, Russia, France, Austria and China, all of them accepting the commodore's work as a model for their own. The similarity between the feat accomplished by Perry in Japan and that by Shufeldt in Korea is so obvious that it has been frequently commented upon. One of the earliest of the comments is by a leading London journal,[58] and another by a fellow officer of Shufeldt, the commandant of cadets at the Naval Academy.

[57] Acting Secretary of State W. Hunter to Shufeldt, Sept. 6, 1882. See also correspondence in the Shufeldt Papers respecting the reception of the Korean embassy in Washington, in September, 1883.

[58] Quoted by John W. Foster, American Diplomacy in the Orient, p. 326.

"The making of the treaty," wrote that officer, "will place you in history beside Perry, and when your detractors will have long been forgotten your name will still shine brighter than ever."[59] Without attempting a comparison between the work of our two great sailor diplomats, it may be said that their treaties are the most notable successes of the American navy in the peaceful field of diplomacy.

The opening of Korea was the consummation of Shufeldt's diplomatic career. His government, however, had still one more important duty for him to perform, the inauguration of the work of constructing the new navy. From 1882 to 1884 he served as president of the Naval Advisory Board, which had this work in charge. He also served for a time as superintendent of the Naval Observatory. He was retired as rear-admiral in 1884, and eleven years later he died, in Washington.

[59] Commander N. H. Farquhar to Shufeldt, Aug. 8, 1882, in Shufeldt Papers.

CHAPTER XI

Early Relations with Africa and the Pacific, 1821–1872

The first American visitors to Africa and the islands of the Pacific Ocean were traders, whalemen and missionaries, who came chiefly from the Northern states of the Union along the Atlantic seaboard. It was their need of protection that first brought the navy into contact with the savage or half-civilized peoples living in those distant quarters of the globe. The intercourse between naval officers and the natives consisted largely of mutual visiting and entertaining, the exchanging of presents, and the negotiating of treaties or agreements. The treaties made with these peoples do not, of course, compare in importance with those made with the more civilized peoples, yet they often established firm and binding relations and led to far-reaching results. The contact of the Americans with the Pacific islanders will be considered first.

Four years after the "Empress of China" in 1784 had rounded the Cape of Good Hope on her memorable voyage to Canton, the ship "Columbia," of 220 tons burden, Captain John Kendrick, and her consort, the sloop "Lady Washington," of 90 tons, Captain

Robert Gray, rounded Cape Horn and passed into the Pacific—the first American vessels to enter that great ocean. They were from Boston and were bound to the Northwest coast, carrying assorted cargoes, which were to be exchanged for the furs of the sea-otter. After remaining on the coast for more than a year, they sailed separately in the latter part of 1789 for Canton by way of the Sandwich Islands. The "Columbia" arrived in China in November, and, after selling her furs and buying teas, returned home by way of the Cape of Good Hope, reaching Boston on August 10, 1790—the first American vessel to circumnavigate the globe.

The first American merchantman to cross the Pacific from Asia to America was the little brig "Eleonora" of New York, Captain Metcalf. She sailed from Canton for the Northwest coast about September, 1789, and arrived at Nootka Sound in November, being accompanied with a small schooner called the "Fair American," which Metcalf had purchased in China and had placed under the command of his son, a youth of eighteen years. The voyage from our Atlantic ports, especially from Boston, around Cape Horn to the Northwest coast and thence to China soon became a popular one, as it was exceedingly profitable. In September, 1790, the brig "Hope" sailed upon it, and she was soon followed by the "Columbia," "Han-

cock," "Jefferson," and "Margaret."[1] Captain Cleveland in his journals mentions four Boston vessels which he saw on the Northwest coast in 1799, and says that ten others were to be dispatched thence during the season.[2] In the course of half a century our trading ships visited every part of the coast of the North Pacific and all the adjacent islands in search of the skins of the sea-otter, the seal, and other fur-bearing animals.

American merchantmen did not long precede American whaling vessels in the Pacific. The first cruising-grounds of the whalemen lay off the coast of the thirteen colonies. When they had exhausted the whales there, they sought new fields in which to ply their trade, passing, in the course of several centuries, from their home coasts to the West Indies, thence to the Cape Verdes, thence to the coasts of Africa and Brazil, and thence to the Falkland Islands and the east coast of Patagonia. Finally in 1791 six whalers from Nantucket and New Bedford rounded Cape Horn and began operations off the coast of Chile. These were soon followed by others, and the cruising-grounds were extended northward to the equator. By 1812 the region of the Gallapagos Islands was much frequented. In 1820 the "off shore grounds," latitude 5°–10°

[1] J. M. Callahan, Am. Rels. in the Pacific and Far East, 15–21.

[2] R. J. Cleveland's Voyages, I, 69–94.

south, longitude 105°–125° west, were discovered, and about the same time the first American whalers made their appearance on the coast of Japan.[3]

With the arrival of American merchantmen and whalemen in the Pacific, trade with the ports on the west coast of South America began, and this gradually increased from year to year. In 1813–1814 Commodore David Porter, in the frigate "Essex"—the first American ship of war to round both the Cape of Good Hope and Cape Horn—protected our vessels in the Pacific and captured many British whalers. In 1821–1824 Commodore Charles Stewart established the Pacific naval station, with headquarters at Valparaiso and Callao, for the protection of American commercial and whaling interests in that ocean. Stewart was succeeded as commander-in-chief of the squadron by Commodore Isaac Hull, the illustrious commander of the "Constitution" and the captor of the "Guerrière." The Pacific station and squadron were maintained until recent years, and Stewart and Hull are the first in a long list of commanders-in-chief.

The "Columbia," under the command of Captain Robert Gray, was the first American vessel to visit Hawaii. On her way from the Northwest coast to China she spent three weeks there about the first of

[3] Tower's His. of Am. Whale Industry, 19–65; Starbuck's His. of Am. Whale Fishery, 77–98.

September, 1789. She was kindly received by the natives, and a young chief, Atto, sometimes called the "crown prince," was consigned to Gray's care for the journey to Boston, under the promise that he should have an early opportunity to return to his native land. Before sailing the "Columbia" laid in a supply of fruits, yams, potatoes and hogs.[4]

Within a year after the "Columbia's" visit several other American vessels had called at the islands, among which were the "Eleonora" and the "Fair American." These two ships had trouble with the natives, which in the end resulted in a considerable loss of life on both sides.[5] The number of American merchantmen calling at the islands gradually increased from year to year, and in course of time a small colony of merchants established itself there. A trade with the islanders in sandalwood sprang up, which was at its height during the period 1810–1825.[6] With the discovery of whales off the Japanese coast, Hawaii became an important rendezvous and place of refreshment for whale ships.

The American commerce which resorted to Hawaii in the third decade of the last century may be classified under five heads: (1) Vessels trading direct from

[4] New England Magazine, XII, 478.

[5] H. Bingham, Residence of Twenty Years in the Sandwich Islands, 39–40.

[6] W. D. Alexander, Brief History of the Hawaiian People, 156.

the United States to Hawaii for sandalwood, and thence to China and Manila, and thence home; (2) vessels trading from the United States to the Northwest coast for furs, and thence to China, and thence home, stopping on their way to the coast and on their way thence to China; (3) vessels on their way from Chile, Peru, Mexico, or California to China, Manila, or the East Indies; (4) vessels owned by American residents at the islands, trading to the Northwest coast, California or Mexico, or to Canton and Manila; and (5) vessels employed in the whale industry on the coast of Japan. For the three years 1827–1829 the average number of vessels in each of these classes, respectively, was as follows: six, five, eight, six, and one hundred. The annual commerce of Americans with the islands was carried in one hundred and twenty-four vessels, amounting to forty thousand tons burden, and with cargoes worth $5,270,000. American whale ships were wont to refit at Hawaii in April and May, proceed to Japan, and return in October and November.[7]

In 1820 a party of American missionaries established itself at Hawaii and soon came into conflict with the American merchants there, who pursued their money-making enterprises assiduously and who had little sympathy with the efforts of their countrymen to convert and reform the natives. A mission-

[7] C. S. Stewart, Visit to the South Seas, II, 214–216.

ary and anti-missionary faction arose, between whom considerable ill feeling was manifested. The missionary faction obtained much influence with the native government and was accused by its opponents of attempting to introduce a theocratic and puritanical régime in the islands. The worst element of the anti-missionary faction strove openly to perpetuate the old order which gave free rein to unbridled lust and unscrupulous acquisitiveness. The leader of this faction was Richard Charlton, the British consul at Hawaii. The leaders of the other faction were the American missionaries.[8]

The state of the American commerce and shipping at the islands and its need for protection during a large part of the third decade of the nineteenth century are well set forth in a letter of the American commercial agent, John C. Jones, to Commodore Isaac Hull, written in May, 1826:—

"The want of a public vessel to protect our commerce and seamen in this part of the ocean has long and seriously been felt, our property has been unprotected and insecure, our lives often jeopardized, our shipping subject to any imposition, and every grievance endured without our government reaching forth its arm to threaten or avenge. Since the discovery of the whale fishery on the coast of Japan, these islands have become almost the only resort for

[8] Alexander's Hawaiian People, 175, 193–194; M. Hopkins, Hawaii, 216–219.

ships engaged in that business. The waters of this harbor have at one time floated more than three millions of American property, and this amount almost at the mercy of a race of savages and lawless outcasts that infest these islands. Whale ships have been detained here again and again by the desertion of their seamen, and all means used for their apprehension proved ineffectual; voyages have thus been protracted, and in some instances abandoned. A large and valuable commerce has for many years been prosecuted to these Islands by American citizens, but for want of protection has had to encounter obstacles of the most serious disadvantage. Large debts are now due from the authorities of the islands to merchants in the United States, which will never be liquidated without the appearance of force. All American vessels bound to and from the Northwest Coast, also vessels from California, Peru, and Chile, stop here on their passage to China or the East Indies. Thus annually about thirty thousand ton of American shipping visit these islands and are subject to impositions of every description and nature, for want of a force to protect. Owing to the frequent desertion of seamen at these islands and the condemnation of vessels, a number of the most abandoned of that class of people have accumulated and are now prowling about the mountains and shores, naked and destitute, lost to every sense of justice, honor, and integrity. Such men as these, if not taken from here, will eventually, driven by hunger and want, commit depredations and piracies, without the fear of an avenging arm."[9]

[9] Hull-Biddle Letters, U. S. Navy Dept. Arch., 1826, no. 27.

In 1825 Commodore Hull, the commander-in-chief of the Pacific squadron, stationed off the west coast of South America, having received intelligence that our mercantile interests at Hawaii needed protection, gave discretionary orders to Lieutenant John Percival, commander of the U. S. S. "Dolphin," to visit those islands during a voyage which he was about to make in the Pacific in search of the mutineers of the whale ship "Globe." Pervical arrived at Hawaii in January, 1826, and remained there until May—the first commander of an Amercan ship of war to visit these future possessions of the United States. Since his conduct has been represented by several historical writers as entirely reprehensible, it is a pleasure to quote the following account written by Commercial Agent Jones:—

"About forty sail of American shipping have visited these islands during the period that the 'Dolphin' has been lieing here. To them she has been of the most important service, rendering them aid and assistance, and preventing the desertion of their seamen. They have all been enabled to recruit, and without detention proceed on their voyages. This would have not been the case had the 'Dolphin' not been here. Through the exertions of Lieut. Percival many good and wholesome regulations have been established and put in force for the protection of foreigners and the preservation of order. Amongst the whites the advantage of this has already, and will continue to be felt. The king and chief of the land have also by

the exertions of Lieut. Percival, acknowledged the debt due to American citizens to be government debts, and [given] their assurance that they shall soon be liquidated. But the government at the present moment is in an unsettled and distracted state. . . .

"It would be unpardonable in me not to make known to you that through the exertions alone of Lieut. Percival, and the officers and men under his command, an immense amount of property (which otherwise would have been totally lost) was saved from the ship 'London' wrecked on the island of Ranai. To the timely assistance rendered by the 'Dolphin' are the owners of that vessel indebted for all the property that was saved from destruction and plunder. The American whale ship 'Commodore Perry' was also saved from being wrecked while riding at anchor in a gale of wind, by the assistance rendered by the 'Dolphin.'"[10]

Among the reforms inaugurated by the missionaries was the obtaining from the native chiefs of a regulation forbidding prostitution in the islands and denying visiting sailors the society of Hawaiian females. Percival was not in sympathy with the missionaries and was openly opposed to the above-mentioned regulation, which, notwithstanding its imperfect enforcement, gave rise to some riotous proceedings on shore. A party composed of sailors from the "Dolphin" and from the whale ships attacked the houses of the chiefs and missionaries with a view to forcing the repeal of the obnoxious measure. Percival, aided by his officers

[10] Hull-Biddle Lets., no. 27.

and by several captains of whalers, promptly suppressed the rioters before much damage was done.

On the return of the "Dolphin" to the United States, Percival's conduct at Hawaii was closely scrutinized by a court of enquiry held at Charlestown, Massachusetts in May and June, 1828; and it reached the conclusion that a court-martial was "not necessary or proper." Evidence was produced, however, which showed that Percival was opposed to the above-mentioned regulation, and which otherwise reflected upon him.[11]

The second national vessel to visit Hawaii was the U. S. S. "Peacock," Master-commandant Thomas Ap Catesby Jones, which arrived there from the Society Islands on October 11, 1826, several months after the departure of the "Dolphin." Her visit was made in response to an appeal to the President from merchants, ship-owners and others interested in the whaling industry, residents of Nantucket island and New Bedford, Massachusetts, for the protection of American commerce and the suppression of idle and lawless seamen.[12] When Jones arrived at the islands he found their affairs in a state of confusion. Strife between the two factions still existed, dissatisfaction pre-

[11] Bingham's Sandwich Islands, 284–287; Hopkins's Hawaii, 216–217; Proceedings of the Percival Court of Enquiry, U. S. Navy Dept. Arch., vol. 23, no. 531; H. Paulding, Journal of Cruise of the Dolphin, 192–233.

[12] H. Rept., 28 Cong., 2 sess., no. 92, 8–13.

vailed on board the whaling ships, and desertions of seamen were frequent. He remained at the islands three months attempting to reduce their affairs to order.

On December 23, 1826, Jones concluded at Honolulu with the king and his guardians a treaty of friendship, commerce and navigation—the first treaty ever negotiated by Hawaii with a foreign power. Although it was never ratified by the President and Senate, some of its stipulations embodied the friendly views and purposes of the United States, which were considered morally binding by both parties until the treaty of 1849 went into effect.[13] The Jones treaty consisted of seven articles. It provided for a perpetual peace and friendship between America and Hawaii, and for the freedom and protection of American trade. It contained a shipwreck convention and a most favored-nation clause (respecting tonnage dues and imports). Hawaii agreed to discountenance the desertion of seamen, and a scale of rewards for the delivery of deserters was established. Permission was given to citizens of the United States to sue for claims.

Jones also negotiated with the Hawaiian government a series of regulations respecting the raising of revenue for the purpose of discharging debts due to American merchants. Every man in the islands was forced to contribute a picul of sandalwood or four Spanish

[13] H. Ex. Doc., 53 Cong., 3 sess., no. 1, part 1, app. II, 8.

dollars, or property worth that sum; and every woman a mat twelve feet long by six feet wide, or tapa of equal value, or one Spanish dollar. A receptacle for the taxes in the form of a chest, secured by iron hoops and firmly nailed, was provided.[14]

During Jones's stay at the islands, the quarrel between the missionary and anti-missionary factions reached an acute stage, and he was appealed to as a peacemaker. He met the leaders at the house of one of the Hawaiian chiefs, and after listening to the speeches of the British consul and other members of the anti-missionary faction, gave their opponents an opportunity to reply, but they declined to avail themselves of it. He next invited the anti-missionary men to criticize a circular lately issued by the missionaries in their own defense, but failed to elicit any criticism. Finally after giving his opinion that the circular was a full and fair statement of the case of the missionaries, he adjourned the meeting, without having accomplished much. He regarded the outcome of it as a complete triumph for the missionaries. The interests of the factions, however, were too diverse for Jones's mediation to have any permanent effect.[15]

In the fall of 1829 Captain William B. Finch of the

[14] H. Rept., 28 Cong., 2 sess., no. 92, 18–20; Masters-commandant Letters, U. S. Navy Dept. Arch., 1826, II, no. 52.

[15] Bingham's Sandwich Islands, 301–303; J. J. Jarves's Sandwich Islands, 269–270; Hopkins's Hawaii, 219; H. Rept., 28 Cong., 2 sess., no. 92; Captains' Letters, 1826, II, nos. 47, 52, 87.

U. S. S. "Vincennes" spent several weeks at Hawaii cultivating the friendship of the native government, reclaiming deserters, and negotiating for the settlement of claims. He was instrumental in securing about fifty thousand dollars for American citizens.[16] Numerous receptions, friendly visits and interchanges of civilities took place, and Finch succeeded in obtaining the good will of every one except some of the members of the anti-missionary faction who felt that the American government was partial to their opponents. Finch was the bearer of presents for the native rulers and of a letter from the Secretary of the Navy, Samuel L. Southard, addressed to King Kamehameha. Among the gifts was a pair of globes and a large map of the United States, for the king; a silver vase, for the regent; and two silver goblets, for the princess. The delivery of these tokens and the letter was accompanied with the usual ceremonies. In the letter the President was made to say that he had heard with interest and admiration of the rapid progress of the Hawaiians in acquiring a knowledge of letters and of "the True Religion—the Religion of the Christian's Bible"; and that Americans who violated the Hawaiian laws violated at the same time their duty to their own government and country, and merited censure and punishment. These and similar expressions were

[16] Cruise of the Vincennes, U. S. Navy Dept. Arch., Finch to Southard, Nov. 22, 1829.

taken exception to by some of the American merchants at the islands, who wrote in remonstrance to the secretary of state at Washington. The merchants demanded for themselves and their countrymen who came to Hawaii "the protection and support of the government of the United States," and, furthermore, they asked, in case national vessels were despatched thither, that they be sent for the "protection of commerce and industry, and not for the purpose of aiding and assisting in the establishing of creeds or the enforcing of any religious doctrine on an ignorant and unsuspecting people."[17]

From time to time after Finch's visit, American ships of war called at Hawaii and interfered in a friendly way with the affairs of the islands. Thus, in 1832, Commodore John Downes of the U. S. S. "Potomac" interceded successfully in behalf of some native converts to the Catholic religion who were undergoing persecution. In July, 1843, Commodore Kearny, who arrived at the islands a few months after they had been ceded to the British government, protested against the cession and against any act arising therefrom which should infringe the rights of American citizens. He declared that he should hold the Hawaiian king and Sir George Paulet, the British admiral responsible for the cession, answerable for every act

[17] Cruise of the Vincennes, Merchants to Sec. of State, Nov. 10, 1829; Stewart's South Seas, II, 78–286.

which should interfere with the rights of Americans. The seizure of the islands by Paulet was shortly afterwards disavowed by the British government.[18]

The first islands in the Pacific visited by our ships of war were those nearest to the west coast of South America. Although no important negotiations with the native chiefs were conducted by our naval officers, a brief mention may be made of a few of the earliest voyages of the navy to this quarter of the globe. In 1813 Commodore Porter in the U. S. S. "Essex" visited the Galapagos Islands and the northern group of the Marquesas Islands, known as Washington Islands, and discovered in 1791 by Captain Joseph Ingraham, an American. Of one of these latter, Nukahiva, he took possession in behalf of the United States, and admitted the natives on their request into the "great American family," as he expressed it. The United States never took any further steps to occupy the island thus annexed by Porter.[19]

In 1825 the U. S. S. "Dolphin," under Percival, visited the Galapagos and Washington Islands and other groups between the latter and the Mulgrave Islands, and in the following year the U. S. S. "Peacock," under T. A. C. Jones, called at some of the same groups, and also at Tahiti, one of the Society

[18] H. Ex. Doc., 53 Cong., 3 sess., no. 1, part 1, app. II, 8–9; China Station Letters, 1841–1844, Protest of Kearny, July 11, 1843.

[19] David Porter's Journal, II, 78–81.

Islands, being the first American ship of war to visit there. In 1829 Captain W. B. Finch in the U. S. S. "Vincennes," on his way to Hawaii from South America, called at the Marquesas and Society Islands. At the latter he received a letter written by the Queen of Tahiti and addressed to President Jackson, an extract from which will show the simple, childlike character of the island peoples of the Pacific:—

"I am a female—the first queen of Tahiti—Queen Pomaré I is my name. I am daughter to Pomaré II. When he died the government devolved on my little brother—he died, the government then became mine. I am young and inexperienced. We have cast away the worship of idols, and have embraced the worship of our common Lord. . . . We have a new flag given us by Captain Lawes of the 'Satellite' British man of war; will you kindly acknowledge it in traversing the seas. . . . Prosperity attend you, President of the United States of America—may your good government be of long duration."[20]

In 1838 the United States sent out an exploring expedition under the command of Lieutenant Charles Wilkes to survey the South Sea. It visited, among other places, Samoa, the Feejee and Friendly Islands, Australia, the Antarctic region, the West coast of America, Hawaii, and the Philippine Islands. Toward the end of the expedition, in February, 1841, Wilkes made a survey of the Sulu sea and archi-

[20] Stewart's South Seas, II, 49–50.

pelago and paid his respects to the sultan at Suong, with whom on February 6 he concluded a treaty. This document was signed by the sultan in the presence of the datus and chiefs at Suong, and was witnessed by Wilkes and two of his officers. It consists of three articles. In Article 1 the sultan, "for the purpose of encouraging trade with the people of the United States," promised to afford protection to all American vessels visiting any of the islands of his dominions, and to allow them to trade on the terms granted the most favored nation and to receive such provisions as they stood in need of. Article 2 contained a shipwreck convention. In article 3 the sultan agreed to punish any of his subjects who should harm the commanders or crews of American vessels.[21]

Within a few years after the "Empress of China" had opened the way to the Orient, American merchants established a considerable trade with the Dutch East Indies. Java was the first island visited, the "Empress of China" having stopped there on her way to Canton. The adjacent island of Sumatra was doubtless the next to attract the attention of our shipmasters. Trade with it was begun in 1789 by Captain Jonathan Barnes, of Salem, commander of the brig "Cadet," who in that year arrived at Boston with a cargo of pepper, spices, and camphor. The traffic in

[21] C. Wilkes, Narrative of the U. S. Exploring Expedition, V, 357, 532.

pepper with the Sumatrans soon became quite extensive, and in 1802 no less than thirty American merchantmen visited the island. Salem led its competitors, Boston, New York, and Philadelphia, in the pepper trade. Her shipmasters prepared charts and sailing directions for the coast of Sumatra which were used by both the merchant and national marine.[22]

Among the Sumatran ports most frequented was Quallah Battoo, situated on the west coast in the kingdom of Acheen, a part of the island that had not been brought under subjection by the Dutch. Quallah Battoo was governed by local rajahs, who were practically independent of their suzerain, the King of Acheen. It contained about eleven hundred inhabitants and was defended by several small forts. The Quallah Battooans were described as a treacherous and warlike people, much given to piracy. They were no more crafty, however, than certain American traders, who were wont to use quicksilver in their hollow scale-beams, and who would slip ashore at night and fill up their hollow scale-weights with lead or shot.

In 1830 the Quallah Battooans captured the American merchantman "Friendship," killing one of her officers and two seamen. Two years later Commodore John Downes in the U. S. S. "Potomac" redressed this injury by destroying the town of Quallah

[22] J. B. Felt, Annals of Salem, II, 294; C. E. Trow, Old Shipmasters of Salem, 138–139; J. N. Reynolds, Voyage of Potomac, 201.

Battoo and killing and wounding upwards of one hundred and fifty of the natives.[23] In 1838 an outrage similar to that perpetrated on the "Friendship" was suffered by the American merchantman "Eclipse" at the hands of some of the neighboring tribesmen, one of whom escaped to Quallah Battoo with a quantity of money, said to amount to two thousand dollars. This injury was redressed by Commodore George C. Read, who after punishing the rajahs directly concerned in the capture of the "Eclipse," proceeded to Quallah Battoo in search of one of the pirates who had fled thither.[24] Not being able to obtain possession of him or of the money, Read accepted from the ruling rajah the following curious document, which possesses the character of both a promissory note and a treaty of peace:—

"This is the epistle of Po Chat Abdullah, raja of Kwala Batu to Commander Reej, engaging to pay two thousand dollars. As to the bad man, he has not been caught; he has fled. Now this agreement is to pay the said money, within twelve months, to Commander Reej, or to any other ship which shall present this writing, or another equivalent to it, whether a ship of war or a trading ship; only let not another ship make war upon the Country of Kwala Batu. Hereby is peace made with Commander Reej, and hereby does Po Chat Abdullah, raja of Kwala Batu, become his friend as long as he lives. The writing is finished.

[23] F. Warriner, Cruise of Potomac, 77–91.

[24] Captains' Letters, Jan., 1839, 49.

By the counsel of all the elders of Kwala Batu on the side of Achin. Our words are ended, wishing you peace and tranquility. This writing from Po Chat Abdullah of Kwala Batu is given Commander Reej on Saturday, the 17th day of the festival month, in the year 1254. Signed as witness by Po Adam, Taku Kadang."[25]

Commodore Perry, on his return from Japan in the summer of 1854, stopped at Napa, Great Liu Kiu Island, and negotiated a "compact of friendship and commerce" with the Liu Kiu Islanders. The compact was signed by Perry, and by the superintendent of affairs and the treasurer of Liu Kiu. It consisted of seven articles. The Liu Kiu Islanders agreed to treat visiting Americans with courtesy and friendship, to trade with them, to supply them with wood and water from all the ports of the islands and with several additional articles from Napa, and to rescue and protect the lives and property of shipwrecked Americans. A burial place for American citizens was established at Tumai. Provision was made for the appointment of skillful pilots, who should keep a lookout at Napa for American vessels. A pilotage fee and the cost of wood and water were fixed. The ratification of the compact was advised by the Senate on March 3, 1855, and six days later it was proclaimed by the President.[26]

The Samoan Islands were visited by Commander

[25] Captains' Letters, Apr., 1839, 40, enclosure G.
[26] S. Ex. Doc., 48 Cong., 2 sess., no. 47, 629–630.

Charles Wilkes in 1839, but it was not until 1872 that the navy was brought into close connection with them. In December, 1871, Rear-admiral John A. Winslow, commander-in-chief of the Pacific station, who was at that time at Honolulu with a part of his squadron, ordered one of his ships, the U. S. S. "Narragansetts," Commander Richard W. Meade, to visit the islands of Oceanica for the protection of American interests there. In respect to Tutuila, one of the principal islands of the Samoan group, Winslow gave specific orders, as may be seen from the following extract from a letter of Meade to the secretary of the navy, dated Honolulu, January 21, 1872:

"As important American interests are at stake at Tutuila in the Navigator Islands, [I] shall, in obedience to the Admiral's orders, proceed thither, survey the harbor of Pago Pago, and locate a coal depot for the American steamers. I think some kind of treaty with the native chiefs will be necessary to frustrate foreign influence which is at present very active in this matter, seeking to secure the harbor."[27]

The "American steamers" referred to by Meade were the vessels of the California and Australia mail steamship line, and the "foreign influence" was that of the Germans. Meade sailed from Honolulu on January 27, and arrived at Pago Pago, Tutuila, on February 14. He remained at the islands for a month, occupied with surveying duties and with strengthen-

[27] Commanders' Letters, January–April, 1872, no. 51.

ing American influence in Tutuila, the inhabitants of which were fearful of foreign domination and were much divided among themselves. On February 17 he entered into an agreement with Oau O Maga, the great chief of the bay of Pago Pago, which conferred upon the United States the exclusive privilege of establishing a naval station in the harbor of Pago Pago and which bound the United States to protect the dominions of the chief in return for the favor granted by him. Meade also drafted commercial regulations for Pago Pago, which were promulgated by Maga. He organized the chiefs of Tutuila into a league and designed a flag for them. He issued an address encouraging them to establish a firm government and to maintain their independency, and he promised them the friendship and protection of the United States.

Although Meade's agreement was made without authority from his government, President Grant, on May 22, 1872, transmitted it to the Senate and recommended that it be ratified after some modification had been made respecting the obligation of the United States to protect the dominions of Maga. Grant also transmitted a protest of the German consul at Samoa against the grant of a naval station to America and a statement of the same that he would not abide by the port regulations drafted by Meade. The Senate never ratified the Meade agreement.[28]

[28] Commanders' Letters, no. 51; H. Ex. Doc., 44 Cong., 1

To the decisive action of Meade the United States owes its present colonial possession in Samoa. In 1873 a special agent was sent to the islands by the state department, and five years later a treaty was made with the Samoans, securing the use of Pago Pago as a naval station. In 1889 the United States, Great Britain, and Germany established a joint protectorate over the islands, and ten years later Samoa was divided between the United States and Germany. England surrendered her claims and received territorial compensation elsewhere.

The first American naval vessels to visit the western part of the Indian Ocean were the U. S. S. "Peacock" and "Boxer," which under the command of Commodore David Geisinger, were sent on a diplomatic mission to the East in 1832–1833. On board the "Peacock" was the American envoy, Edmund Roberts, who after negotiating a treaty with Siam, was conducted to Muscat on the coast of Arabia, where he made a treaty with the Sultan of Muscat, a powerful prince, who ruled over a large territory extending from the Persian Gulf to the southern limits of Zanzibar. In 1835 the "Peacock," with the "Enterprise" as a consort, both under the command

sess., no. 161, 6–7; Foster's Am. Dipl. in the Orient, 387–389; G. B. Rieman, Papalangee or Uncle Sam in Samoa; Nineteenth Century, XIX, 294–295; Callahan's Am. Rels. in Pacific and Far East, 136–137; Richardson's Mess. and Pap. of Presidents, VII, 168–169.

of Commodore E. P. Kennedy, carried out the ratified treaty with Muscat and Siam, and visited both Zanzibar and Muscat. From this time our naval vessels occasionally touched at the principal ports in the western part of the Indian Ocean.

In 1878 Commodore Shufeldt, when preparing to enter upon his commercial and diplomatic mission to Africa and the Orient, received orders to encourage and extend American influence in the East African and neighboring countries. In September of the following year he visited Madagascar, and, with a view to affording protection to our whaling and trading interests, entered into an agreement with the kings and chiefs of the Malagasy and Sakalava tribes, whose possessions lay in the southwestern part of that island. The United States had negotiated a treaty with Madagascar in 1867, but, according to Shufeldt, this did not apply to the two tribes mentioned above. These agreements provided for the reception of American vessels and the friendly treatment of American citizens, and prohibited the slave trade under the American flag. The agreement with the Sakalava tribe granted to the United States the right to establish a coaling depot at Tullear Bay, which body of water contained the best harbor in that region of the Indian Ocean. Shufeldt's agreement however was not ratified by the American government.[29]

[29] Cruise of Ticonderoga, II, Shufeldt to Thompson, Sept. 20, 1879.

From Madagascar Shufeldt proceeded to Johanna, one of the Comorro group of islands situated in the Mozambique channel, where he negotiated with the sultan of Johanna a treaty which was signed on October 4, 1879. It consisted of six articles and contained the usual provisions of treaties of amity and commerce. It provided for an inviolable peace between the two countries, mutual privileges of trade on the basis of the most-favored nation, securities for the property and persons of Americans in Johanna, a shipwreck convention, and the appointment of an American consul, who was to try Americans for crimes committed in Johanna. On February 27, 1880, the treaty was transmitted to the Senate by President Hayes, but for some reason that body did not ratify it.[30]

From Johanna Shufeldt went to Zanzibar where he was cordially received and entertained by the sultan of Zanzibar who ruled over the southern part of the territories which formerly comprised the dominions of the sultan of Muscat. The sultan of Zanzibar presented Shufeldt with a letter addressed to the President, in which he accepted the Roberts treaty of 1833.[31] From Zanzibar Shufeldt went to Muscat and had several interviews with the sultan of Muscat, who agreed to permit an American consul to reside at his

[30] S. Ex. Jour., XXII, 269, 309.

[31] Cruise of Ticonderoga, II, Shufeldt to Thompson, Nov. 9, 1879.

capital. The "Ticonderoga" next entered the Persian Gulf and the Euphrates River, being the first American ship of war to visit those waters.

On his voyage eastward Shufeldt called at Borneo and presented a letter to the sultan of that island protesting against his recent action in granting to certain private individuals the ownership and sovereignty of a part of his territory, and calling his attention to the rights of the United States as determined by its treaty with Borneo negotiated in 1850.[32] Shufeldt's visit to Japan, Korea, and China, which brought his memorable mission to a close has already been described.

Long before the Revolution, American merchantmen participated in the slave trade on the west coast of Africa, and after that war, even when Congress had forbidden the trade, they continued to engage in it. Not until 1819 was the President authorized by act of Congress to use the national vessels on the African coast in enforcing the laws prohibiting this nefarious traffic. In that year the U. S. S. "Erie" and in 1820 the U. S. S. "Cyane" visited the coast for that purpose. In the latter year the American Colonization Society made an unsuccessful attempt to establish a colony of American free negroes on the African coast. In the following year it made a second attempt, and decided to avail itself of the services of Lieutenant R.

[32] Cruise of Ticonderoga, II, Shufeldt to Sultan of Borneo, March 1, 1880.

H. Stockton, who had been ordered to proceed to the coast and enforce the law prohibiting the slave trade. Before leaving the United States, Stockton conferred with Bushrod Washington, the president of the society, and with others interested in its work, in respect to the purchase of a site for the proposed colony.[33] He sailed from Boston on October 4, 1821, in the U. S. S. "Alligator," arriving a few weeks later at Sierra Leone.

At this point Stockton was joined by Dr. Eli Ayres, an agent of the society, and together they made arrangements for their mission. The schooner "Augusta" was hired for purposes of exploration, and Sir George McCarty, governor of Sierra Leone was consulted respecting territory adapted for colonization.[34] McCarty recommended a site at Cape Mesurado, some two hundred and fifty miles to the southeastward, and thither Stockton and Ayres proceeded, where they arrived on December 11. Much pleased with the site, they entered into negotiations for its purchase, with its owner, King Peter, who was disinclined to sell it. After several palavers, the king broke an engagement to meet them and retired to his capital, some six or seven miles in the interior. Disregarding their own safety, the agents followed the retreating king, and after wading through water and

[33] Sketch of Life of Stockton (anonymous), 39–40; Miscellaneous Letters, U. S. Navy Dept. Arch., 1822, I, no. 75.

[34] Sketch of Life of Stockton, 41.

wallowing through murky swamps they arrived at his capital where they found him in bad humor and still unwilling to sell. Having learned of Stockton's capture of the French slaver "Daphne," and having heard other reports unfavorable to the agents, he was determined to have nothing to do with them. The situation at this stage of the negotiations is thus described by Ayres:—

"Our cause now looked truly deplorable. We were unarmed in the midst of a nation so exasperated against us. But Lieut. Stockton's dexterity at mixing flattery with a little well-timed threat, turned all to our advantage. When they complained of his taking the French for trading with them in slaves, he told them his orders were not to meddle with the French or any other nation; that when he saw the French vessel, he sent his boat to see who she was; that they fired at him, and when they fought him, then he whipped them and took their vessel; that he would not suffer any body to make a fool of him; and now King Peter wanted to make a fool of him: that he tell him three days he would let him have land, and drink up his rum and take his tobacco, and now he say shan't have any land; this was fooling him. I believe the old king was afraid of being served as the French vessel was, for he soon came to, and promised to call some more kings and meet us on the shore next morning, and make a book, which was to give us land."[35]

[35] Fifth Ann. Rept. Am. Col. Soc., 16–17, 57–63.

On December 16 an agreement for the cession and purchase of Dozoa Island and of a tract described rather indefinitely as "that portion of land bounded north and west by the Atlantic Ocean and on the south and east by a line drawn in a southeast direction from the north of Mesurado River." The document was signed by Kings Peter, George, Zoda, Long Peter, Governor, and Jimmy, and by Stockton and Ayres. The consideration consisted of certain specified quantities of muskets, beads, tobacco, gunpowder, iron bars, iron pots, knives, forks, hats, coats, shoes, pipes, nails, mirrors, rum, handkerchiefs, beef, pork, decanters, tumblers, and other articles.[36]

Ayres attributed the success of the mission to the "energy, sagacity and perseverance" of Stockton. He estimated the tract of land to be worth a million dollars, and he said that it had the best harbor between Gibraltar and the Cape of Good Hope. It contained fifty or sixty thousand acres. A river ran through it which was navigable for vessels drawing ten to twelve feet of water. There were nine houses on the island. The purchase of this site laid the foundation of the state of Liberia.[37]

The eighth article of the treaty between Great

[36] Fifth Ann. Rept. Am. Col. Soc., 65–66.

[37] Fifth Ann. Rept. Am. Col. Soc., 63–64; Sketch of Life of Stockton, 39–47; Niles' Register, XXI, 380; Miscl. Lets., 1822, I, no. 75; African Letters, U. S. Navy Dept. Arch., 1819–1823, no. 96.

Britain and the United States signed by Daniel Webster and Lord Ashburton on August 9, 1842, provided that each of the contracting parties should maintain a squadron on the coast of Africa for the suppression of the slave trade.[38] The first squadron equipped by the United States under this provision was commanded by Commodore Matthew C. Perry, who arrived at Monrovia, Liberia, about August 1, 1843. He had received orders from the secretary of the navy to demand redress from the Africans for certain outrages committed on the persons and property of American citizens. Some months before his arrival several murderous attacks had been made on Americans trading on the coast. The mate and cook of the schooner "Edward Burley," Captain Burke, had been put to death; Captain J. R. Brown of the brigantine "Atalanta" had been severely beaten; and the captain and crew of the schooner "Mary Carver" had been massacred, the cargo stolen, and the vessel destroyed. In redressing these outrages, Perry visited the tribes on the coast, held palavers with their chiefs, and entered into several compacts or agreements.[39]

After making an investigation, Perry decided that the Fishmen, who committed the outrage on the "Edward Burley," had acted under provocation and

[38] U. S. Stat. L., VIII, 576.

[39] For Perry's services see S. Doc., 28 Cong., 2 sess., no. 150; and W. E. Griffis's M. C. Perry, 167–182.

should therefore not be rigorously dealt with. Indeed to punish them would not have been easy, since they deserted their villages and left the coast. Two neighboring tribes, the Sinoe and Blue Barra, signed a compact to assist American settlers in protecting themselves against the Fishmen and other marauders, and to receive kindly all American citizens and vessels visiting the coast.[40]

After a palaver with the kings and chiefs of the Settra Kroo tribe, which was implicated in the assault on the captain of the "Atalanta," Perry demanded that they should sign a written apology for their bad conduct, should send a delegation to apologize to Captain Brown, should continue their friendship with the Americans, and, as an indemnification to the captain, should make a present of bullocks, sheep, and goats to the squadron. To these requirements they agreed, and the necessary instruments were duly prepared and signed.[41]

The affair of the "Mary Carver" was much more serious than that of either of the other two ships. On consulting with his officers, Perry decided to demand by way of reparation the trial and execution of the surviving murderers by their own people, and the payment of three thousand dollars as an indemnity to the heirs of those who had been murdered. Several

[40] S. Doc., no. 150, 30.
[41] S. Doc., no. 150, 30–31.

palavers were held, on shore or on board the flagship of the squadron, between Perry, his chief officers and the governor of Liberia on the one side, and the chiefs of Little Berriby, Grand Berriby, Rockboukah, Grand Bassa, and Grand Tabou, on the other. During one of these interviews, held at Little Berriby, the firing of a musket from a group of armed natives toward a party of Perry's men brought on an engagement, in which Ben Cracow, king of Little Berriby, was mortally wounded, and his interpreter and another native killed. The town of Little Berriby was set on fire by Perry and reduced to ashes, and the members of the tribe were dispersed. As Ben Cracow and his interpreter had taken an active part in the massacre of the captain and crew of the "Mary Carver," the killing of them and the destruction of the town were regarded by Perry as acts of retributive justice. Since it was impossible to prove that the other tribes had participated in the piracy on the "Mary Carver," Perry decided not to levy an indemnity on them, nor hold them responsible for the massacre, but to require them to sign a compact to protect American property and citizens. On the signing of an instrument of this character in December, 1843, by the kings and chiefs of Grand Berriby, Rockboukah, Grand Bassa and Grand Tabou, Perry's diplomatic duties on the African coast came to an end.[42]

[42] S. Doc., no. 150, 48–50.

The African squadron was maintained from 1843 until 1861, when on the beginning of the Civil War it was discontinued. After the war our naval vessels visited the west coast only occasionally and remained for brief periods. Reference has already been made to the commercial and diplomatic mission of Commodore R. W. Shufeldt, of 1878–1880. Among the first countries visited by him was Sierra Leone, where he served the British and Liberian governments in an important capacity. In April, 1878, the British government expressed to the United States a desire that an American naval officer should be designated to act as arbitrator in a pending question between that government and Liberia over the Northwest boundary of Liberia. A mixed commission composed of British and Liberians was to consider the points at issue, and the arbitrator was to act only in the event of a disagreement of the commissioners. Shufeldt was chosen for this duty by the American government and early in 1878 spent several months on the west African coast awaiting the convenience of the commission, which held two sessions, one in February and the other in April. At the last session the Liberian commissioners, after submitting their case and listening to the counter evidence of the native chiefs, asked that the whole question be submitted to the American arbitrator. The British commissioners replied that no such territory as Liberia claimed existed, that she

had no case, and that there was nothing to submit. The work of the commission was therefore brought to an end without a settlement of the dispute, and Shufeldt continued his voyage to the Indian Ocean.[43]

[43] Cruise of Ticonderoga, Thompson to Shufeldt, Oct. 23, 1878; Shufeldt to Thompson, Jan. 19, Jan. 31, Feb. 16, Apr. 25, 1879.

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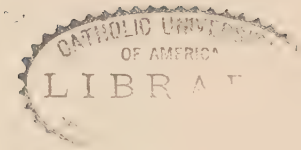

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